



# State Legislation 2013: Election Bills

Maricopa County Elections Department  
Community Network  
May 29<sup>th</sup>, 2013



# Bill Tracking

- You can find all bills on the [www.AZLEG.gov](http://www.AZLEG.gov) website:

A screenshot of the Arizona State Legislature website. The header features the text "Arizona State Legislature" and a "Bill Number Search:" field with a magnifying glass icon. Below the header is a large image of the Arizona State Capitol building. A navigation bar contains links for "Fifty-first Legislature - First Regular Session", "Email a Member", "Email Webmaster", "change session", and "printer friendly version". A menu bar includes "Senate", "House", "Bills", "Committees", and "Calendars/News". A large yellow arrow points from the "Bills" link to a dropdown menu. The dropdown menu lists: "Bill Info", "Dispositions", "Summaries", "Strike Everything", "Governor's Letters", and "Session Laws". On the left side, there is a "FAQ" section with links to "New: Arizona Students Page", "Wireless Internet Access", "How Do I Find My Legislators", "Frequently Asked Questions", and "Live Proceedings". Below the FAQ is a "Legislative Session" button. In the center, there is a section titled "Arizona State Legislature" with a photograph of the interior dome.



# Bill Tracking

- Bills are listed in groups:

Arizona State Legislature

Bill Number Search:

Fifty-first Legislature - First Regular Session

Senate House Legislative Council JLBC More Agencies Bills Committees Calendars/News

FINAL DISPOSITION SESSION SUMMARIES

Enter a search phrase to search the text of all bill related documents for the currently selected session.

Search Phrase

Non-Bill Miscellaneous Motions

**House Bills**

View All House Bills

House Memorials and Resolutions

HB2001 through HB2050

HB2051 through HB2100

HB2101 through HB2150

HB2151 through HB2200

HB2201 through HB2250

HB2251 through HB2300

HB2301 through HB2350

HB2351 through HB2400

HB2401 through HB2450

HB2451 through HB2500

HB2501 through HB2550

HB2551 through HB2600

HB2601 through HB2650

HB2651 through HB2700

**Senate Bills**

View All Senate Bills

Senate Memorials and Resolutions

SB1001 through SB1050

SB1051 through SB1100

SB1101 through SB1150

SB1151 through SB1200

SB1201 through SB1250

SB1251 through SB1300

SB1301 through SB1350

SB1351 through SB1400

SB1401 through SB1450

SB1451 through SB1500

Arizona State Legislature

Bill Number Search:

Fifty-first Legislature - First Regular Session

Senate House Legislative Council JLBC More Agencies Bills Committees Calendars/News

FINAL DISPOSITION SESSION SUMMARIES

Enter a search phrase to search the text of all bill related documents for the currently selected session.

Search Phrase

Bill Number	Short Title
HB2551	financial institution records; disclosure; notice (NOW: off-highway vehicles; use; authority; enforcement)
HB2552	setoff debt; technical correction
HB2553	bail bond agents; bonds; prohibitions
HB2554	firearm regulation; state preemption
HB2555	potentially violent persons; reporting requirements
HB2556	irrigation districts; qualified electors; definitions
HB2557	schools; CPR instruction
HB2558	firearms; state preemption; local laws
HB2559	property; receipt; notification
HB2560	travel insurance producer licensing
HB2561	graffiti implements; unlawful acts; minors
HB2562	public retirement systems; ineligible employees
HB2563	teacher preparation programs; common core
HB2564	postsecondary institutions; accreditation disclosure
HB2565	insurance; website posting of policies
HB2566	universities; intellectual property
HB2567	animal cruelty; offense
HB2568	election procedures; early voting
HB2569	child prostitution; sentencing
HB2570	appropriation; mental health services
HB2571	TPT export exemption; border centers
HB2572	fire districts; financial standards (NOW: financial standards; fire districts)
HB2573	prohibited governmental compliance; 2012 NDAA
HB2574	drone surveillance; prohibition; exceptions
HB2575	clean elections commission amendments
HB2576	convention; delegates; limitations; oath
HB2577	public records exemption; critical infrastructure
HB2578	licensing; accountability; penalties; exceeding regulation
HB2579	photo radar prohibition
HB2580	regulatory review; periodic approval
HB2581	overrides; RCL; kindergarten pupils
HB2582	political subdivisions; firearms; records
HB2583	border operations center (NOW: Arizona joint operations intelligence unit)
HB2584	renewable energy and conservation districts
HB2585	caged egg-laying hens
HB2586	nutritional information; chain restaurants
HB2587	sales tax; service contract merchandise
HB2588	interstate compact; health care
HB2589	community colleges; universities; concealed weapons
HB2590	comprehensive TPT; income tax repeal
HB2591	governmental reporting; websites; budgets
HB2592	universal regulatory tax credit
HB2593	technical correction; veterans (NOW: campaign finance; contribution limits)
HB2594	local transportation assistance fund; restoration
HB2595	digital learning; course choice
HB2596	clinics; federal drug administration protocols
HB2597	abortion; criminal classifications; civil actions
HB2598	school pupils; academic intervention
HB2599	procurement code; amendments
HB2600	judicial nominees; minimum requirements; records





# Bill Tracking

Overview & Sponsors

Versions

Amendments

Agendas

Calendars & Video

Arizona State Legislature

Bill Number Search:



Fifty-first Legislature - First Regular Session [Email a Member](#) | [Email Webmaster](#) [change session](#) | [printer friendly version](#)

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**HB2305**  
initiatives; filings; circulators

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# 2013

- This year there were 73 election-related bills.
- Many of them didn't see much movement, but you can never rule out that a bill is dead until the Legislature goes home.
- We will cover the ones that have passed and the ones which received the most attention.



# Overview

- Here were some topics of the bills this year:
  - Campaign Finance
  - Signature Requirements
  - Petitions
  - Resignations
  - Election Day Registration
  - PEVL Maintenance
  - Ballot Collection
  - Recall Election Structure





# Passed:

CHAPTER 159  
HOUSE BILL 2157

AN ACT

AMENDING SECTIONS 16-903 AND 38-296, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

B. An incumbent of a salaried elected office shall be deemed to have offered himself for nomination or election to a salaried local, state or federal office ~~upon~~ ON the filing of a nomination paper pursuant to section 16-311, subsection A ~~or formal public declaration of candidacy for such office whichever occurs first.~~ AN INCUMBENT OF A SALARIED ELECTED OFFICE IS NOT DEEMED TO HAVE OFFERED HIMSELF FOR NOMINATION OR ELECTION TO AN OFFICE BY MAKING A FORMAL DECLARATION OF CANDIDACY FOR THE OFFICE.

- Filing of a nomination paper is now the official trigger –no longer a declaration of intent.





# Passed:

## CHAPTER 159 HOUSE BILL 2157

AN ACT

AMENDING SECTIONS 16-903 AND 38-296, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

### BILL STATUS OVERVIEW

HB2157

**SPONSORS:** [KAVANAGH P](#)

**TITLE:** public declaration; resign to run

**HOUSE FIRST READ:** 01/23/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 01/23/13 [JUD](#) 01/31/13 (5-2-0-1-0) [DP](#)

[Vote Detail](#) 01/23/13 [RULES](#) 02/25/13 (6-3-0-0-0) [C&P](#)

**HOUSE SECOND READ:** 01/24/13

**CONSENT CALENDAR:** 02/25/13 4:13 PM

**MAJORITY CAUCUS:** 02/26/13 Y

**MINORITY CAUCUS:** 02/26/13 Y

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 03/04/13 40 19 1 0 PASSED

**TRANSMIT TO SENATE:** 03/04/13

**SENATE FIRST READ:** 03/06/13

**SENATE SECOND READ:** 03/07/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 03/06/13 [ELEC](#) 03/19/13 (6-0-1-0) [DP](#)

03/06/13 [RULES](#) 03/27/13 [PFC](#)

**CONSENT CALENDAR:** 03/27/13 1:55 PM

**MAJORITY CAUCUS:** 04/02/13 Y

**MINORITY CAUCUS:** 04/02/13 Y

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 04/16/13 20 10 0 0 PASSED

**TRANSMIT TO HOUSE:** 04/16/13

**TRANSMITTED TO:** GOVERNOR 04/25/13

**ACTION:** SIGNED 04/30/13

**CHAPTER:** [159](#)

**CHAPTERED VERSION:** House Engrossed Version

- For each bill you can follow the progress under “Bill Overview”



# Passed

CHAPTER 98

## HOUSE BILL 2593

AN ACT

AMENDING SECTIONS 16-901 AND 16-905, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-913.01; RELATING TO CAMPAIGN CONTRIBUTIONS.

7. "Election" means any election for any initiative, referendum or other measure or proposition or a primary, general, recall, special or runoff election for any office in this state other than the office of precinct committeeman and other than a federal office. For THE purposes of sections

16-903 and 16-905, the general election ~~includes~~ DOES NOT INCLUDE the primary election.

- Redefines the general election cycle as only including the general itself, no longer the primary.



# Passed

## CHAPTER 98

### HOUSE BILL 2593

AN ACT

AMENDING SECTIONS 16-901 AND 16-905, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-913.01; RELATING TO CAMPAIGN CONTRIBUTIONS.

- \$488.00 gone,  
\$390.00 gone,  
new limit of  
\$2500.00
- PAC went  
from \$2000.00  
to \$5000.00

#### 16-905. Contribution limitations; civil penalty; complaint

A. For an election other than for a statewide office, a contributor shall not give and an exploratory committee, a candidate or a candidate's campaign committee shall not accept contributions of more than:

1. For an election for a legislative office, ~~four hundred eighty-eight~~ TWO THOUSAND FIVE HUNDRED dollars from an individual.

2. For an election other than for a legislative office, ~~three hundred ninety~~ TWO THOUSAND FIVE HUNDRED dollars from an individual.

3. For an election for a legislative office, ~~four hundred eighty-eight~~ TWO THOUSAND FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by paragraph 5 of this subsection and subsection B, paragraph 3 of this section.

4. For an election other than for a legislative office, ~~three hundred ninety~~ TWO THOUSAND FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by subsection B, paragraph 3 of this section.

5. ~~Two~~ FIVE thousand dollars from a single political committee, excluding a political party, certified pursuant to subsection G of this section.

B. For an election for a statewide office, a contributor shall not give and an exploratory committee, a candidate or a candidate's committee shall not accept contributions of more than:

1. ~~One~~ TWO thousand ~~ten~~ FIVE HUNDRED dollars from an individual.

2. ~~One~~ TWO thousand ~~ten~~ FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by subsection A, paragraph 5 of this section and paragraph 3 of this subsection.





# Passed

CHAPTER 98

## HOUSE BILL 2593

AN ACT

AMENDING SECTIONS 16-901 AND 16-905, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-913.01; RELATING TO CAMPAIGN CONTRIBUTIONS.

C. A candidate ~~shall not~~ MAY accept contributions from ~~all~~ political committees, excluding political parties, ~~combined totaling more than:~~

~~1. For an election for a legislative office, sixteen thousand one hundred fifty dollars.~~

~~2. For an office other than a legislative office or a statewide office, ten thousand twenty dollars.~~

~~3. For a statewide office, one hundred thousand one hundred ten dollars~~ AS OTHERWISE PRESCRIBED IN THIS SECTION AND A CANDIDATE IS NOT RESTRICTED AS TO THE AGGREGATE TOTAL THAT A CANDIDATE MAY LAWFULLY RECEIVE FROM ALL POLITICAL COMMITTEES, EXCLUDING POLITICAL PARTIES.

D. A nominee of a political party shall not accept contributions from all political parties or political organizations combined totaling more than ten thousand twenty dollars for an election for an office other than a statewide office, and one hundred thousand one hundred ten dollars for an election for a statewide office.

E. An individual ~~shall not~~ MAY make contributions ~~totaling more than five thousand six hundred ten dollars in a calendar year to state and local candidates and political committees contributing to state or local candidates. Contributions to political parties and contributions to independent expenditure committees are exempt from the limitations of this subsection~~ AS OTHERWISE PRESCRIBED BY THIS SECTION, AND AN INDIVIDUAL IS NOT RESTRICTED AS TO THE AGGREGATE TOTAL THAT AN INDIVIDUAL MAY GIVE.

- Candidates can receive unlimited funds from PACs, Parties



# Passed

CHAPTER 98

## HOUSE BILL 2593

AN ACT

AMENDING SECTIONS 16-901 AND 16-905, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-913.01; RELATING TO CAMPAIGN CONTRIBUTIONS.

**16-913.01. Additional reporting by candidate campaign committees; single contribution; civil penalty**

A. IN ADDITION TO ANY OTHER FILINGS REQUIRED BY LAW, A CANDIDATE OR A CANDIDATE'S CAMPAIGN COMMITTEE SHALL GIVE NOTICE TO THE FILING OFFICER IF THE CANDIDATE OR COMMITTEE RECEIVES FROM A SINGLE SOURCE A CONTRIBUTION OF AT LEAST ONE THOUSAND DOLLARS LESS THAN TWENTY DAYS BEFORE THE DAY OF THE ELECTION.

B. THE NOTICE PRESCRIBED BY THIS SECTION SHALL BE FILED WITHIN SEVENTY-TWO HOURS AFTER RECEIPT OF THE CONTRIBUTION AND SHALL INCLUDE THE DATE OF RECEIPT, THE NAME OF THE CONTRIBUTOR AND THE AMOUNT OF THE CONTRIBUTION. CONTRIBUTIONS THAT ARE SUBJECT TO THE NOTICE PRESCRIBED BY THIS SECTION SHALL BE INCLUDED IN THE NEXT REGULAR REPORT FILED PURSUANT TO SECTION 16-913. FOR THE PURPOSES OF THIS SECTION, THE DATE OF RECEIPT OF A CONTRIBUTION IS THE DATE THE CANDIDATE'S CAMPAIGN COMMITTEE OBTAINS POSSESSION OF THE CONTRIBUTION.

C. A CANDIDATE'S CAMPAIGN COMMITTEE THAT KNOWINGLY VIOLATES THIS SECTION AND A PERSON WHO KNOWINGLY VIOLATES THIS SECTION ARE LIABLE IN A CIVIL ACTION FOR A CIVIL PENALTY OF UP TO THREE TIMES THE AMOUNT IMPROPERLY REPORTED.

- Single source donations in the last 20 days reported within 72 hours of reception of the donation.



# Passed

## CHAPTER 98 HOUSE BILL 2593

AN ACT

AMENDING SECTIONS 16-901 AND 16-905, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-913.01; RELATING TO CAMPAIGN CONTRIBUTIONS.

### BILL STATUS OVERVIEW

HB2593

**SPONSORS:** MESNARD P

**TITLE:** technical correction; veterans  
(NOW: campaign finance; contribution limits)

**HOUSE FIRST READ:** 02/12/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 02/12/13 JUD 02/21/13 (5-3-0-0-0) DPA/SE

[Vote Detail](#) 02/12/13 RULES 02/26/13 (8-0-0-1-0) C&P

**HOUSE SECOND READ:** 02/13/13

**MAJORITY CAUCUS:** 02/26/13 Y

**MINORITY CAUCUS:** 02/26/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**

02/28/13 DPA 0 0 0 0

#### AMENDMENTS

JUD - passed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 02/28/13 32 23 5 0 Y PASSED

**TRANSMIT TO SENATE:** 03/01/13

**SENATE FIRST READ:** 03/05/13

**SENATE SECOND READ:** 03/06/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 03/05/13 ELEC 03/12/13 (3-1-3-0) DP

03/05/13 RULES 03/18/13 PFC

**MAJORITY CAUCUS:** 03/26/13 Y

**MINORITY CAUCUS:** 03/26/13 Y

**CONSENT CALENDAR:** 03/18/13 1:25 PM

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 04/09/13 17 13 0 0 PASSED

**TRANSMIT TO HOUSE:** 04/09/13

**TRANSMITTED TO:** GOVERNOR 04/10/13

**ACTION:** SIGNED 04/11/13

**CHAPTER:** 98

**CHAPTERED VERSION:** House Engrossed Version





# Some Traction

## HOUSE BILL 2282

AN ACT

AMENDING SECTIONS 19-209, 19-212 AND 19-213, ARIZONA REVISED STATUTES;  
RELATING TO RECALL.

5. IF FOR A CITY OR TOWN OFFICE, BY THE CITY OR TOWN CLERK.

D. SUBJECT TO THE PROVISIONS OF SECTION 19-212, ON CALLING A RECALL ELECTION, THE OFFICER CALLING THE ELECTION SHALL CALL FOR A RECALL PRIMARY ELECTION AND, IF NECESSARY, A RECALL GENERAL ELECTION FOR THE OFFICE THAT IS SUBJECT TO THE RECALL, AND IF THE OFFICE IS REGULARLY SUBJECT TO A PARTISAN PRIMARY ELECTION, THE RECALL PRIMARY ELECTION SHALL ALSO BE HELD AS A PARTISAN PRIMARY ELECTION. IF THERE IS ONLY ONE CANDIDATE REMAINING FOR THE OFFICE THAT IS SUBJECT TO THE RECALL AFTER THE RECALL PRIMARY ELECTION, THE RECALL GENERAL ELECTION SHALL NOT BE HELD AND THE WINNER OF THE RECALL PRIMARY ELECTION SHALL BE DECLARED ELECTED.

Sec. 2. Section 19-212, Arizona Revised Statutes, is amended to read:

- Recall elections would double in expense with the addition of a Primary.



# Some Traction

## HOUSE BILL 2282

AN ACT

AMENDING SECTIONS 19-209, 19-212 AND 19-213, ARIZONA REVISED STATUTES;  
RELATING TO RECALL.

### BILL STATUS OVERVIEW

HB2282

**SPONSORS:** SMITH P

**TITLE:** recall; primary; general election

**HOUSE FIRST READ:** 01/23/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 01/23/13 [JUD](#) 02/07/13 (5-2-0-1-0) [DP](#)

[Vote Detail](#) 01/23/13 [RULES](#) 03/04/13 (5-3-0-1-0) [C&P](#)

**HOUSE SECOND READ:** 01/24/13

**MAJORITY CAUCUS:** 03/05/13 Y

**MINORITY CAUCUS:** 03/05/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**

03/07/13 [DPA](#) 0 0 0 0

#### AMENDMENTS

Floor Amend to Bill - Kavanagh - passed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 03/07/13 36 23 1 0 Y PASSED

**TRANSMIT TO SENATE:** 03/08/13

**SENATE FIRST READ:** 03/12/13

**SENATE SECOND READ:** 03/13/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 03/12/13 [GE](#) 03/21/13 (4-3-0-0) [DP](#)

[Vote Detail](#) 03/12/13 [RULES](#) 03/25/13 (4-3-0-0) [PFC](#)

**MAJORITY CAUCUS:** 03/26/13 Y

**MINORITY CAUCUS:** 03/26/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**

04/16/13 [DPA](#) 0 0 0 0

#### AMENDMENTS

Yarbrough fir amend (ref Bill) adopted

Gallardo fir amend (ref Bill) failed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 04/18/13 10 18 2 0 Y FAILED

**MOTION TO RECONSIDER: DATE AYES NAYS NV EXC VAC**

04/22/13 0 0 0 0

MOTION

Senator Murphy motion to reconsider whereby the Senate failed to pass HB 2282 on Third Reading on April 18, 2013. Motion carried.

- Passed the House, failed in the Senate on 3<sup>rd</sup> read.



# Some Traction

**HB 2527**

Introduced by  
Representative Ugenti

## AzCapitolTimes.com

non-daily  AP newspaper of the year

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ARIZONA CAPITOL TIMES > CAPITOL INSIDERS/ART > FIXES FOR CONSOLIDATED ELECTIONS STALL, LEAVING CITIES IN DARK ABOUT WHEN TO HOLD ELECTIONS

### Fixes for consolidated elections stall, leaving cities in dark about when to hold elections

By Hank Stephenson - hank.stephenson@azcapitoltimes.com

Published: May 2, 2013 at 10:11 am

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When voters in Tucson and Phoenix went to the polls to elect their mayors in 2011, voters elected them for four years. But a bill passed last year by the Legislature and signed into law by Gov. Jan Brewer may extend the mayors' time in office by a year. Or it may shorten their terms by a year.

Nobody is sure which one it will be.

After seeing the savings and the boost in voter turnout Scottsdale achieved from moving its election dates to the fall of even-numbered years to match the state election cycle, Rep. Michelle Ugenti of Scottsdale sponsored a bill to move all city elections to coincide with the state schedule.

Her consolidated elections bill from last year states that starting in 2014, all elections in the state must be held in the fall of even-numbered years. Of the 91 cities in Arizona, 75 currently hold their city elections either in the spring or in odd-numbered years.

- The consolidation of the elections leaves questions for those elected & if their terms will be lengthened or shortened?



# Some Traction

**HB 2527**

Introduced by  
Representative Ugenti

H. Except in the case of an emergency, any facility that is used as a polling place on election day or that is used as an early voting site during the period of early voting shall allow persons to electioneer and engage in other political activity outside of the seventy-five foot limit prescribed by section 16-515 in public areas and parking lots used by voters. This subsection shall not be construed to permit the temporary or permanent construction of structures in public areas and parking lots or the blocking or other impairment of access to parking spaces for voters. The county recorder **OR OTHER OFFICER IN CHARGE OF ELECTIONS** shall post on its website at least two weeks before election day a list of those polling places in which emergency conditions prevent electioneering and shall specify the reason the emergency **exemption DESIGNATION** was granted **AND THE NUMBER OF ATTEMPTS THAT WERE MADE TO FIND A POLLING PLACE BEFORE GRANTING AN EMERGENCY DESIGNATION**. If the polling place is not on the website list of polling places with emergency **conditions DESIGNATIONS**, electioneering and other political activity shall be permitted outside of the seventy-five foot limit. If an emergency arises after the county ~~recorder's~~ **RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS'** initial website posting, the county recorder **OR OTHER OFFICER IN CHARGE OF ELECTIONS** shall update the website as soon as is practicable to include any new polling places, shall highlight the polling place location on the website and shall specify the reason the emergency **exemption DESIGNATION** was granted **AND THE NUMBER OF ATTEMPTS THAT WERE MADE TO FIND A POLLING PLACE BEFORE GRANTING AN EMERGENCY DESIGNATION**.

- Requires the reporting of every phone call to facilities that will not allow electioneering and the attempts to secure other locations.





# Some Traction

**HB 2527**

**Introduced by  
Representative Ugenti**

I. FOR THE PURPOSES OF THIS SECTION, A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL DESIGNATE A POLLING PLACE AS AN EMERGENCY POLLING PLACE AND THUS PROHIBIT PERSONS FROM ELECTIONEERING AND ENGAGING IN OTHER POLITICAL ACTIVITY OUTSIDE OF THE SEVENTY-FIVE FOOT LIMIT PRESCRIBED BY SECTION 16-515 BUT INSIDE THE PROPERTY OF THE FACILITY THAT IS HOSTING THE POLLING PLACE IF ANY OF THE FOLLOWING OCCURS:

1. AN ACT OF GOD RENDERS A PREVIOUSLY SET POLLING PLACE AS UNUSABLE.
2. A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS HAS EXHAUSTED ALL OPTIONS AND THERE ARE NO SUITABLE FACILITIES IN A PRECINCT THAT ARE WILLING TO BE A POLLING PLACE UNLESS A FACILITY CAN BE GIVEN AN EMERGENCY DESIGNATION.

- In past years we have looked at the map of precincts that do not have a PP within their borders & those who do not allow electioneering.



# Some Traction

**HB 2527**

**Introduced by  
Representative Ugenti**

9 E. NOTWITHSTANDING ANY PROVISION IN THE CONDOMINIUM DOCUMENTS, AN  
0 ASSOCIATION SHALL NOT PROHIBIT THE INDOOR OR OUTDOOR DISPLAY OF A POLITICAL  
1 SIGN BY A UNIT OWNER ON THAT UNIT OWNER'S PROPERTY, INCLUDING ANY LIMITED  
2 COMMON ELEMENTS FOR THAT UNIT, EXCEPT THAT AN ASSOCIATION MAY PROHIBIT THE  
3 DISPLAY OF POLITICAL SIGNS EARLIER THAN SEVENTY-ONE DAYS BEFORE THE DAY OF AN  
4 ELECTION AND LATER THAN THREE DAYS AFTER AN ELECTION DAY. AN ASSOCIATION MAY  
5 REGULATE THE SIZE AND NUMBER OF POLITICAL SIGNS THAT MAY BE PLACED ON A UNIT  
6 OWNER'S PROPERTY IF THE ASSOCIATION'S REGULATION IS NO MORE RESTRICTIVE THAN  
7 ANY APPLICABLE CITY, TOWN OR COUNTY ORDINANCE THAT REGULATES THE SIZE AND  
8 NUMBER OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY. IF THE CITY, TOWN OR  
9 COUNTY IN WHICH THE PROPERTY IS LOCATED DOES NOT REGULATE THE SIZE AND NUMBER  
0 OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY, THE ASSOCIATION SHALL NOT LIMIT  
1 THE NUMBER OF POLITICAL SIGNS, EXCEPT THAT THE MAXIMUM AGGREGATE TOTAL  
2 DIMENSIONS OF ALL POLITICAL SIGNS ON A UNIT OWNER'S PROPERTY SHALL NOT EXCEED  
3 NINE SQUARE FEET. An association shall not make any regulations regarding  
4 the number of candidates supported, the number of public officers supported  
5 or opposed in a recall or the number of propositions supported or opposed on  
6 a political sign. FOR THE PURPOSES OF THIS SUBSECTION, "POLITICAL SIGN"  
7 MEANS A SIGN THAT ATTEMPTS TO INFLUENCE THE OUTCOME OF AN ELECTION, INCLUDING  
8 SUPPORTING OR OPPOSING THE RECALL OF A PUBLIC OFFICER OR SUPPORTING OR  
9 OPPOSING THE CIRCULATION OF A PETITION FOR A BALLOT MEASURE, QUESTION OR  
0 PROPOSITION OR THE RECALL OF A PUBLIC OFFICER.

1 F. An association shall not require political signs to be commercially

- HOAs must allow for political signs to be posted, but they can limit size and quantity
- Can go up 75 days prior, down 3 days post



# Some Traction

## HB 2527

Introduced by  
Representative Ugenti

- Passed the House,
- Still in the Senate awaiting third read:

### BILL STATUS OVERVIEW

HB2527

**SPONSORS:** [UGENTI P](#)

**TITLE:** elections; revisions

**HOUSE FIRST READ:** 02/04/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 02/04/13 [JUD](#) 02/14/13 (4-2-0-2-0) [DP](#)

[Vote Detail](#) 02/04/13 [GOV](#) 02/19/13 (8-0-0-1-0) [DPA](#)

[Vote Detail](#) 02/04/13 [RULES](#) 02/25/13 (9-0-0-0-0) [C&P](#)

**HOUSE SECOND READ:** 02/05/13

**MAJORITY CAUCUS** 02/26/13 Y

**MINORITY CAUCUS:** 02/26/13 Y

COW ACTION 1: DATE	ACTION	AYES	NAYS	NV	EXC	VAC
02/28/13	<a href="#">DPA</a>	0	0	0	0	

#### AMENDMENTS

GOV - passed

THIRD READ: DATE	AYES	NAYS	NV	EXC	VAC	EMER	AMEND	RFE	2/3	VOTE	RESULT
<a href="#">Vote Detail</a> 02/28/13	52	3	5	0				Y			PASSED

**TRANSMIT TO SENATE:** 03/01/13

**SENATE FIRST READ:** 03/05/13

**SENATE SECOND READ:** 03/06/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 03/05/13 [ELEC](#) 03/19/13 (6-0-1-0) [DPA/SE](#)

03/05/13 [RULES](#)



# Some Traction

## HOUSE BILL 2282

AN ACT

AMENDING SECTIONS 19-209, 19-212 AND 19-213, ARIZONA REVISED STATUTES;  
RELATING TO RECALL.

### 19-212. Nomination petition

A. Unless the officer otherwise requests in writing, the name of the officer against whom a recall petition is filed shall be placed as a candidate on the official **RECALL PRIMARY ELECTION** ballot without nomination, **AND THE OFFICER AGAINST WHOM A RECALL PETITION IS FILED SHALL AUTOMATICALLY BE PLACED ON THE OFFICIAL RECALL GENERAL ELECTION BALLOT WITHOUT NOMINATION AND WITHOUT REGARD TO WHICH CANDIDATE WINS THE RECALL PRIMARY ELECTION.** Other candidates for the office may be nominated to be voted ~~upon~~ **ON** at the **RECALL PRIMARY** election and shall be placed ~~upon~~ **ON** the official recall **PRIMARY ELECTION** ballot after filing a nomination petition that is signed by a number of qualified electors that is equal to ~~at least two per cent of the total votes cast for all candidates~~ **THE NUMBER OF SIGNATURES REQUIRED FOR NOMINATION PETITIONS** for that office at the last election for that office. Nomination petition signers shall be qualified electors of the electoral district of the officer against whom the recall petition is filed. **THE CANDIDATE OR CANDIDATES WHO WIN THE RECALL PRIMARY ELECTION SHALL BE PLACED ON THE OFFICIAL RECALL GENERAL ELECTION BALLOT.**

- Had to be amended to state that the elected official would automatically move on to the General along with the Primary winner...





# Some Traction

## HOUSE BILL 2282

AN ACT

AMENDING SECTIONS 19-209, 19-212 AND 19-213, ARIZONA REVISED STATUTES;  
RELATING TO RECALL.

### BILL STATUS OVERVIEW

HB2282

**SPONSORS:** SMITH P

**TITLE:** recall; primary; general election

**HOUSE FIRST READ:** 01/23/13

**COMMITTEES:** ASSIGNED COMMITTEES ACTION

[Vote Detail](#) 01/23/13 JUD 02/07/13 (5-2-0-1-0) DP

[Vote Detail](#) 01/23/13 RULES 03/04/13 (5-3-0-1-0) C&P

**HOUSE SECOND READ:** 01/24/13

**MAJORITY CAUCUS:** 03/05/13 Y

**MINORITY CAUCUS:** 03/05/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**

03/07/13 DPA 0 0 0 0

#### AMENDMENTS

Floor Amend to Bill - Kavanagh - passed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 03/07/13 36 23 1 0 Y PASSED

**TRANSMIT TO SENATE:** 03/08/13

**SENATE FIRST READ:** 03/12/13

**SENATE SECOND READ:** 03/13/13

**COMMITTEES:** ASSIGNED COMMITTEES ACTION

[Vote Detail](#) 03/12/13 GE 03/21/13 (4-3-0-0) DP

[Vote Detail](#) 03/12/13 RULES 03/25/13 (4-3-0-0) PFC

**MAJORITY CAUCUS:** 03/26/13 Y

**MINORITY CAUCUS:** 03/26/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**

04/16/13 DPA 0 0 0 0

#### AMENDMENTS

Yarbrough flr amend (ref Bill) adopted

Gallardo flr amend (ref Bill) failed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 04/18/13 10 18 2 0 Y FAILED

**MOTION TO  
RECONSIDER:**

**DATE**

**AYES NAYS NV EXC VAC**

04/22/13

0 0 0 0

**MOTION**

Senator Murphy motion to reconsider whereby the Senate failed to pass HB 2282 on Third Reading on April 18, 2013. Motion carried.

- Passed the House,
- Failed in the Senate



# Some Traction

- SOME portions of this bill had/have traction.
- There are *MANY* portions...

REFERENCE TITLE: election procedures; early voting

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

## HB 2568

Introduced by  
Representative Dial

AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.



# Some Traction

## HB 2568

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### AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

### 16-312. Filing of nomination papers for write-in candidates

F. Except as provided in section 16-343, subsection E, a candidate may not file pursuant to this section if any of the following applies:

1. For a candidate in the general election, the candidate ran in the immediately preceding primary election and failed to be nominated to the office sought in the current election.

2. For a candidate in the general election, the candidate filed a nomination petition for the immediately preceding primary election for ~~the~~ ANY office, ~~sought~~ OTHER THAN THE OFFICE OF PRECINCT COMMITTEEMAN, and failed to provide a sufficient number of valid petition signatures as prescribed by section 16-322.

3. For a candidate in the primary election, the candidate filed a nomination petition for the current primary election for ~~the~~ ANY office ~~sought~~, OTHER THAN THE OFFICE OF PRECINCT COMMITTEEMAN, and failed to provide a sufficient number of valid petition signatures as prescribed by section 16-322.

4. For a candidate in the general election, the candidate filed a nomination petition for nomination other than by primary for ~~the~~ ANY office ~~sought~~, OTHER THAN THE OFFICE OF PRECINCT COMMITTEEMAN, and failed to provide a sufficient number of valid petition signatures as prescribed by section 16-341.

- Would have allowed PCs who lost in the Primary they could run as a write-in in the General



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### 16-322. Number of signatures required on nomination petitions

#### A. Nomination petitions shall be signed:

1. If for a candidate for the office of United States senator or for a state office, excepting members of the legislature and superior court judges, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~one-half~~ **ONE-SIXTH** of one per cent of the voter registration ~~of the party of the candidate~~ in at least three counties in the state, ~~but not less than one-half~~ **AND AT LEAST ONE-SIXTH** of one per cent, ~~nor~~ **BUT NOT** more than ten per cent of the total voter registration ~~of the candidate's party~~ in the state.

2. If for a candidate for the office of representative in Congress, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least **ONE-THIRD OF** one per cent but not more than ten per cent of the total voter registration ~~of the party designated~~ in the district from which ~~such~~ **THE** representative shall

- Signature requirements based on total voters, no longer by party registration





# Some Traction

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Introduced by  
Representative Dial

### AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

be elected except that if for a candidate for a special election to fill a vacancy in the office of representative in congress, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~one-half~~ **ONE-SIXTH** of one per cent but not more than ten per cent of the total voter registration ~~of the party designated~~ in the district from which ~~such~~ **THE** representative shall be elected.

3. If for a candidate for the office of member of the legislature, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least **ONE-THIRD OF** one per cent but not more than three per cent of the total voter registration ~~of the party designated~~ in the district from which the member of the legislature may be elected.

4. If for a candidate for a county office or superior court judge, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~two~~ **TWO-THIRDS OF ONE** per cent but not more than ten per cent of the total voter registration ~~of the party designated~~ in the county or district, provided that in counties with a population of two hundred thousand persons or more, a candidate for a county office shall have nomination petitions signed by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~one-half~~ **ONE-SIXTH** of one per cent but not more than ten per cent of the total voter registration ~~of the party designated~~ in the county or district.

- Signature requirements based on total voters, no longer by party registration



# Some Traction

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### AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

7. If for a candidate for justice of the peace or constable, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~two~~ TWO-THIRDS OF ONE per cent but not more than ten per cent of the ~~party~~ TOTAL voter registration in the precinct.

8. If for a candidate for mayor or other office nominated by a city at large, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~five per cent and not more than ten per cent of the designated party vote in the city, except that a city that chooses to hold nonpartisan elections may by ordinance provide that the minimum number of signatures required for the candidate be~~ one thousand signatures or five per cent of the vote in the city, whichever is less, but not more than ten per cent of the vote in the city.

9. If for an office nominated by ward, precinct or other district of a city, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least ~~five per cent and not more than ten per cent of the designated party vote in the ward, precinct or other district, except that a city that chooses to hold nonpartisan elections may provide by ordinance that the minimum number of signatures required for the candidate be~~ two hundred fifty signatures or five per cent of the vote in the district, whichever is less, but not more than ten per cent of the vote in the district.

- JP & Municipal



# Some Traction

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Introduced by  
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### AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

C. The county recorder or other officer in charge of elections shall mail the early ballot and the envelope for its return postage prepaid to the address provided by the requesting elector within five days after receipt of the official early ballots from the officer charged by law with the duty of preparing ballots pursuant to section 16-545, except that early ballot distribution shall not begin more than ~~twenty-six~~ TWENTY-ONE days before the election. If an early ballot request is received on or before the thirtieth day before the election, the early ballot shall be distributed on the ~~twenty-sixth~~ TWENTY-FIRST day before the election.

D. Only the elector may be in possession of that elector's unvoted early ballot. If a complete and correct request is made by the elector within ~~twenty-six~~ TWENTY-ONE days before the election, the mailing must be made within forty-eight hours after receipt of the request. Saturdays, Sundays and other legal holidays are excluded from the computation of the forty-eight hour period prescribed by this subsection. If a complete and correct request is made by an absent uniformed services voter or an overseas voter before the election, the regular early ballot shall be transmitted by mail, by fax or by other electronic format approved by the secretary of state within twenty-four hours after the early ballots are delivered pursuant to section 16-545, subsection B, excluding Sundays.

- Early voting would begin 21 days instead of 26



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J. All original and completed early ballot request forms that are received by a candidate, ~~or~~ political committee **OR OTHER ORGANIZATION** shall be submitted within six business days after receipt by a candidate, ~~or~~ political committee **OR OTHER ORGANIZATION** or eleven days before the election day, whichever is earlier, to the political subdivision that will conduct the election. Any person, political committee or other organization that fails to submit a completed early ballot request form within the prescribed time is subject to a civil penalty of up to twenty-five dollars per day for each completed form withheld from submittal. Any person who knowingly fails to submit a completed early ballot request form before the submission deadline for the election immediately following the completion of the form is guilty of a class 6 felony.

- Early ballot request collected by organizations would also have to be turned in within 6 days.





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B. In order to be included on the permanent early voting list, the voter shall make a written request specifically requesting that the voter's name be added to the permanent early voting list for all elections in which the applicant is eligible to vote. A permanent early voter request form shall conform to THE requirements prescribed in the instructions and procedures manual issued pursuant to section 16-452 AND SHALL NOT BE COMBINED WITH ANY OTHER VOTER REGISTRATION FORM. The application shall allow for the voter to provide the voter's name, residence address, mailing address in the voter's county of residence, date of birth and signature and shall state that the voter is attesting that the voter is a registered voter who is eligible to vote in the county of residence. The voter shall not list a mailing address that is outside of this state for the purpose of the permanent early voting list unless the voter is an absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973ff-6). In lieu of the application, the applicant may submit a written request that contains the required information

- PEVL no longer on VR forms



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K. ~~A voter's failure to vote an early ballot once received does not constitute grounds to remove the voter~~ VOTER WHO IS ON THE PERMANENT EARLY VOTING LIST AND WHO APPEARS AT A POLLING PLACE TO CAST A REGULAR OR PROVISIONAL BALLOT AT THAT ELECTION SHALL BE REMOVED from the permanent early voting list. THE SECRETARY OF STATE MAY ADOPT PROCEDURES FOR USE BY ELECTIONS OFFICIALS IN EDUCATING OR NOTIFYING PERSONS WHO ARE ON THE PERMANENT EARLY VOTING LIST REGARDING THE RESULTS OF FAILURE TO VOTE AN EARLY BALLOT.

- PEVL voters who go to polls removed
- Does not have the exclusion of those who moved and may not have gotten their EV



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**16-544.01. Removal from permanent early voting list; foreclosed homes: enforcement**

THE COUNTY RECORDER SHALL OBTAIN A LIST OF ALL RESIDENTIAL PROPERTIES THAT HAVE BEEN CONVEYED BY A TRUSTEE'S DEED OF SALE IN THE PRECEDING MONTH, AND SHALL REMOVE FROM THE PERMANENT EARLY VOTING LIST THE NAMES OF ANY PERSONS WHO ARE REGISTERED AT THOSE ADDRESSES ON OR BEFORE THE DATE OF THE APPLICABLE TRUSTEE'S DEED. IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS RECEIVES AN EARLY BALLOT REQUEST FROM A PERSON WHO LISTS THE FORECLOSED PROPERTY AS THE PERSON'S VOTER REGISTRATION ADDRESS AND WHO WAS REMOVED FROM THE PERMANENT EARLY VOTING LIST PURSUANT TO THIS SECTION, THE RECORDER OR OFFICER SHALL SEND WRITTEN NOTICE TO THE PERSON THAT REQUIRES THE PERSON TO REAFFIRM THE PERSON'S VOTER REGISTRATION ADDRESS BY RE-REGISTERING TO VOTE.

- Foreclosed homes would result in removal from PEVL, but this also requires the voter to “reaffirm the person’s voter registration address by re-registering to vote” when their registration is still active...





# Some Traction

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Representative Dial

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AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

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1. Prepare the official early ballot and deliver a sufficient number to the recorder or other officer in charge of elections not later than the ~~thirty-third~~ TWENTY-EIGHTH day before the election. Except as provided in section 16-542, subsection D, regular early ballots shall not be distributed to the general public before the beginning of early voting.

2. Ensure that the ballot return envelopes are of a type that ~~are~~ IS tamper evident when properly sealed.

3. FOR ANY VOTER WHO SUBMITS AN AFFIDAVIT OF HARDSHIP TO THAT OFFICER, DELIVER AN EARLY BALLOT TO THE RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS FOR THAT HARDSHIP VOTER NO EARLIER THAN THIRTY-FIVE DAYS BEFORE THE ELECTION. A VOTER IS ELIGIBLE TO SUBMIT AN AFFIDAVIT OF HARDSHIP AND RECEIVE A HARDSHIP EARLY BALLOT IF THE VOTER SWEARS IN THE AFFIDAVIT THAT THE VOTER WILL BE ABSENT FROM THE STATE FOR THE ENTIRETY OF THE THREE-WEEK PERIOD BEFORE AND INCLUDING ELECTION DAY.

- Hardship requirement...currently ANY registered voter can request a ballot during the early voting period.





# Some Traction

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- New EV affidavit

If the voter was assisted by another person in marking the ballot OR WAS ASSISTED BY A PERSON COLLECTING THE BALLOT, complete the following:

I declare the following under penalty of perjury:

1. At the registered voter's request I assisted the voter identified in this affidavit with marking the voter's ballot, I marked the ballot as directly instructed by the voter, I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation and I understand that there is no power of attorney for voting and that the voter must be able to make ~~their~~ THE VOTER'S selection even if ~~they~~ THE VOTER cannot physically mark the ballot.

Name of voter assistant: \_\_\_\_\_

Address of voter assistant: \_\_\_\_\_

2. WITH THE REGISTERED VOTER'S PERMISSION, I COLLECTED THE VOTER'S VOTED EARLY BALLOT AND WILL DELIVER THE VOTED EARLY BALLOT TO THE PROPER ELECTION OFFICIAL NO LATER THAN FIVE DAYS AFTER COLLECTION, OR ELECTION DAY, WHICHEVER IS EARLIER.

NAME OF BALLOT COLLECTOR: \_\_\_\_\_

NAME OF ORGANIZATION, IF ANY: \_\_\_\_\_

DATE OF COLLECTION: \_\_\_\_\_



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- Establishes training program for EV collection, voter receipt, & deadlines for ballot return.
- EV collection restricted to:
  - Close relative
  - Someone you live with
  - Someone who lives near you (within 100 yds)
  - An authorized agent by SOS or County Officer

C. THE SECRETARY OF STATE AND COUNTY ELECTION OFFICERS SHALL ESTABLISH A STANDARDIZED TRAINING PROGRAM TO BE USED TO CERTIFY PERSONS AS LAWFUL EARLY BALLOT COLLECTORS. IN ADDITION TO COMPLETING THE TRAINING PROGRAM AND OBTAINING CERTIFICATION, EARLY BALLOT COLLECTORS SHALL COMPLY WITH THE FOLLOWING:

1. ON COLLECTING A VOTED EARLY BALLOT, THE COLLECTOR SHALL COMPLETE THE BALLOT COLLECTOR PORTION OF THE BALLOT AFFIDAVIT FORM, AND SHALL PROVIDE THE NAME OF THE PERSON COLLECTING THE EARLY BALLOT, THE DATE OF COLLECTION AND THE NAME OF THE ORGANIZATION, IF ANY, WITH WHOM THE EARLY BALLOT COLLECTOR IS AFFILIATED.

2. THE PERSON COLLECTING THE BALLOT SHALL PROVIDE A TWO-PART RECEIPT FOR THE BALLOT THAT CONTAINS ON BOTH PARTS OF THE RECEIPT THE NAME OF THE COLLECTOR, THE NAME OF THE ORGANIZATION, IF ANY, WITH WHICH THE COLLECTOR IS AFFILIATED AND THE DATE OF COLLECTION. THE EARLY BALLOT COLLECTOR SHALL PROVIDE THE VOTER WITH ONE PART OF THE RECEIPT AND SHALL RETAIN THE SECOND PART OF THE RECEIPT.

3. THE PERSON COLLECTING THE BALLOT SHALL DELIVER ALL VOTED EARLY BALLOTS TO THE COUNTY RECORDER OR OFFICER IN CHARGE OF ELECTIONS WITHIN FIVE DAYS AFTER COLLECTION OF THE VOTED EARLY BALLOT OR ON ELECTION DAY, WHICHEVER IS EARLIER. IF AN EARLY BALLOT COLLECTOR FAILS TO TIMELY DELIVER VOTED EARLY BALLOTS, THAT EARLY BALLOT COLLECTOR SHALL BE REMOVED FROM THE LIST OF CERTIFIED EARLY BALLOT COLLECTORS. AN EARLY BALLOT COLLECTOR WHO KNOWINGLY FAILS TO TIMELY DELIVER TEN OR MORE VOTED EARLY BALLOTS AS PRESCRIBED BY THIS SUBSECTION IS GUILTY OF A PETTY OFFENSE.

D. FOR THE PURPOSES OF THIS SECTION, "VOTER'S LAWFUL AGENT" MEANS ANY OF THE FOLLOWING:

1. A PERSON WHO SHARES THE VOTER'S RESIDENCE.

2. A PERSON WHO IS A GRANDPARENT, AUNT, UNCLE, PARENT OR SIBLING OF THE VOTER OR THE ADULT CHILD OR SPOUSE OF ANY OF THEM.

3. A PERSON WHO RESIDES WITHIN ONE HUNDRED YARDS OF THE PROPERTY LINE FOR THE PROPERTY THAT CONTAINS THE VOTER'S RESIDENCE.

4. A PERSON WHO IS CERTIFIED BY THE SECRETARY OF STATE OR THE COUNTY OFFICER IN CHARGE OF ELECTIONS FOR THAT COUNTY TO LAWFULLY COLLECT AND DELIVER VOTED EARLY BALLOTS.



# Some Traction

## HB 2568

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Representative Dial

AN ACT

AMENDING SECTIONS 16-312, 16-322, 16-542 AND 16-544, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-544.01; AMENDING SECTIONS 16-545, 16-547, 16-548, 16-590 AND 16-645, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

Section 16-590, Arizona Revised Statutes, is amended to read:  
16-590. Appointment of challengers and party representatives

A. The county chairman of each party ~~may~~, for each precinct, by written appointment addressed to the election board, ~~MAY~~ designate a party agent or representative and alternates for a polling place in the precinct who may act as challengers for the party ~~which~~ ~~THAT~~ appointed ~~him~~ ~~THE COUNTY CHAIRMAN~~. A SIGNED, WRITTEN APPOINTMENT BY THE COUNTY CHAIRMAN AND PRESENTATION OF IDENTIFICATION TO THE ELECTION BOARD IS SUFFICIENT AND AN OFFICER IN CHARGE OF ELECTIONS MAY NOT IMPOSE ADDITIONAL REQUIREMENTS ON DESIGNATION OF POLITICAL PARTY REPRESENTATIVES OR CHALLENGERS.

- HB 2568 status:

### BILL STATUS OVERVIEW

HB2568

**SPONSORS:** DIAL P

**TITLE:** election procedures; early voting

**HOUSE FIRST READ:** 02/11/13

**COMMITTEES:** ASSIGNED COMMITTEES ACTION

02/11/13 JUD

02/14/13 HELD

02/11/13 RULES

**HOUSE SECOND READ:** 02/12/13



# Some Traction

## HOUSE BILL 2305

AN ACT

AMENDING SECTION 19-121, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM.

B. For THE purposes of this chapter, a petition is filed when the petition sheets are tendered to the secretary of state, ~~at which time~~ WHO SHALL ISSUE a receipt ~~is immediately issued by the secretary of state~~ based on an estimate made to the secretary of state of the purported number of sheets and signatures filed. After the issuance of the receipt, no additional petition sheets may be accepted for filing.

C. Petitions may be filed with the secretary of state in numbered sections for convenience in handling. Not more than fifteen signatures on one sheet shall be counted. THE POLITICAL COMMITTEE THAT FILES THE PETITIONS SHALL ORGANIZE THE SIGNATURE SHEETS AND GROUP THEM BY THE COUNTY OF RESIDENCE OF THE MAJORITY OF THE PERSONS SIGNING THAT SIGNATURE SHEET, BY CIRCULATOR ON THAT SIGNATURE SHEET AND BY THE NOTARY PUBLIC WHO NOTARIZED THE CIRCULATOR'S SIGNATURE ON THAT SHEET. THE SECRETARY OF STATE MAY RETURN AS UNFILED ANY SIGNATURE SHEETS THAT ARE NOT SO ORGANIZED AND GROUPED. THE POLITICAL COMMITTEE THAT IS THE PROPONENT OF THE PETITION IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH THIS SUBSECTION.

- Petitions being provided to the SOS would have to be organized by county to expedite processing





# Some Traction

## HOUSE BILL 2305

AN ACT

AMENDING SECTION 19-121, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM.

F. ANY POLITICAL COMMITTEE MAY SUBMIT TO THE SECRETARY OF STATE FORTY-FIVE DAYS BEFORE THE DEADLINE FOR FILING ITS PETITION A LIST OF ALL PETITION CIRCULATORS WHO CIRCULATED THAT PETITION AND A COPY OF A CRIMINAL RECORDS CHECK VERIFIED THROUGH SOURCE DOCUMENTS PERFORMED ON EACH PETITION CIRCULATOR BY AN ENTITY LICENSED TO DO SO UNDER TITLE 32, CHAPTER 24 OR SIMILARLY LICENSED IN ANOTHER STATE. IF THE BACKGROUND CHECK WAS PERFORMED AND PROVIDED BY A PERSON OR ENTITY WHO WAS ENGAGED IN AN ARM'S LENGTH TRANSACTION WITH THE COMMITTEE, INCLUDING ANY OF ITS EMPLOYEES, VENDORS, CONTRACTORS OR SUBCONTRACTORS, A PRESUMPTION ARISES AND ANY CHALLENGE TO THOSE PETITION CIRCULATORS MUST BE REBUTTED BY A SHOWING OF A PREPONDERANCE OF THE EVIDENCE THAT THE CIRCULATOR WAS NOT ELIGIBLE TO REGISTER TO VOTE IN THIS STATE. THE SECRETARY OF STATE MAY ADOPT BY RULE APPROPRIATE STANDARDS FOR DETERMINING WHETHER A TRANSACTION BETWEEN A POLITICAL COMMITTEE, ITS EMPLOYEES, VENDORS, CONTRACTORS AND SUBCONTRACTORS AND THE PERSON OR ENTITY PROVIDING THE CIRCULATORS' BACKGROUND CHECKS CONSTITUTES AN ARM'S LENGTH TRANSACTION. FOR THE PURPOSES OF THIS SUBSECTION:

1. "AFFILIATE" MEANS PARTIES THAT ARE RELATED BY BLOOD OR MARRIAGE, EMPLOYMENT OR AGENCY, OR, IN THE CASE OF ENTITIES, THAT ARE UNDER DIRECT OR INDIRECT COMMON CONTROL OR ONE OF WHICH CONTROLS THE OTHER.

2. "ARMS LENGTH TRANSACTION" MEANS AN AGREEMENT TO PROVIDE A CRIMINAL RECORDS CHECK NEGOTIATED BETWEEN A WILLING COMMITTEE, INCLUDING ANY OF ITS EMPLOYEES, VENDORS, CONTRACTORS OR SUBCONTRACTORS AND A WILLING ENTITY LICENSED UNDER TITLE 32, CHAPTER 24 OR SIMILARLY LICENSED IN ANOTHER STATE WHERE THE PARTIES ARE NOT AFFILIATES.

- Circulator background check demonstrating ability to register to vote





# Some Traction

## HOUSE BILL 2305

AN ACT

AMENDING SECTION 19-121, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM.

### BILL STATUS OVERVIEW

HB2305

**SPONSORS:** [FARNSWORTH P](#)

**TITLE:** initiatives; filings; circulators

**HOUSE FIRST READ:** 01/23/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 01/23/13 [JUD](#) 01/31/13 (7-0-0-1-0) [DPA](#)

[Vote Detail](#) 01/23/13 [RULES](#) 02/11/13 (8-0-0-1-0) [C&P](#)

**HOUSE SECOND READ:** 01/24/13

**MAJORITY CAUCUS:** 02/12/13 Y

**MINORITY CAUCUS:** 02/12/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**  
02/14/13 [DPA](#) 0 0 0 0

#### AMENDMENTS

JUD

Sub Floor Amend to JUD - Farnsworth - passed

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 02/20/13 53 5 2 0 Y PASSED

**TRANSMIT TO SENATE:** 02/20/13

**SENATE FIRST READ:** 02/25/13

**SENATE SECOND READ:** 02/26/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

[Vote Detail](#) 02/25/13 [ELEC](#) 03/05/13 (5-2-0-0) [DPA](#)

02/25/13 [RULES](#) 03/18/13 [PFC](#)

**MAJORITY CAUCUS:** 03/19/13 Y

**MINORITY CAUCUS:** 03/19/13 Y

**COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC**  
03/25/13 [DPA](#) 0 0 0 0

#### AMENDMENTS

ELEC (ref Bill) adopted

Reagan flr amend (ref Bill) adopted

**THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT**

[Vote Detail](#) 04/02/13 16 12 2 0 Y PASSED

**TRANSMIT TO HOUSE:** 04/02/13

**MAJORITY CAUCUS:** 04/09/13 Y

**MINORITY CAUCUS:** 04/09/13 Y

Conference committee recommended

#### CONFERENCE COMMITTEE:

**HOUSE:** APPOINTED 04/09/13 FREE

**MEMBERS:** FARNSWORTH, MESNARD, QUEZADA

#### CONFERENCE COMMITTEE:

**SENATE:** APPOINTED 04/10/13 FREE

**MEMBERS:** MCCOMISH, DRIGGS, HOBBS

#### NOTES

REAGAN has been replaced by MCCOMISH

- Passed House
- Passed Senate
- Back to House

**SENATE BILL 1003**

**SENATE BILL 1261**

**NOW THE 2 BILLS  
WITH THE MOST ATTENTION**



## SENATE BILL 1003

tamper evident when properly sealed.

C. FOR ALL ELECTIONS THAT INCLUDE A CANDIDATE OR ISSUE ON THE BALLOT FOR WHICH THE SECRETARY OF STATE IS THE FILING OFFICER, THE SECRETARY OF STATE, IN COOPERATION WITH COUNTY ELECTION OFFICIALS, SHALL SELECT A UNIQUE COLOR FOR ALL OUTBOUND EARLY BALLOT ENVELOPES AND ALL INBOUND EARLY BALLOT RETURN ENVELOPES.

Sec. 2. Section 16-547, Arizona Revised Statutes, is amended to read:

- This is a good practice that will be implemented regardless of the legislation (by some, if not all, counties).



# SENATE BILL 1003

## 16-547. Ballot affidavit; form

A. The early ballot shall be accompanied by an envelope bearing on the front the name, official title and post office address of the recorder or other officer in charge of elections and on the other side a printed affidavit in substantially the following form:

I declare the following under penalty of perjury: I am a registered voter in \_\_\_\_\_ county Arizona, I have not voted and will not vote in this election in any other county or state, I understand that knowingly voting more than once in any election is a class 5 felony and I voted the enclosed ballot and signed this affidavit personally unless noted below. IF I PROVIDED MY VOTED BALLOT TO ANOTHER PERSON FOR DELIVERY TO ELECTIONS OFFICIALS, I HAVE VOTED THE BALLOT AND SEALED IT IN THE ENVELOPE BEFORE GIVING IT TO ANOTHER PERSON FOR DELIVERY.

If the voter was assisted by another person in marking the ballot OR WAS ASSISTED BY A PERSON COLLECTING THE BALLOT, complete the following:

1. I declare the following under penalty of perjury: At the registered voter's request I assisted the voter identified in this affidavit with marking the voter's ballot, I marked the ballot as directly instructed by the voter, I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation and I understand that there is no power of attorney for voting and that the voter must be able to make ~~their~~ THE VOTER'S selection even if ~~they~~ THE VOTER cannot physically mark the ballot.

Name of voter assistant: \_\_\_\_\_

Address of voter assistant: \_\_\_\_\_

2. WITH THE VOTER'S PERMISSION, I COLLECTED THE VOTER'S VOTED EARLY BALLOT AND WILL DELIVER THE VOTED EARLY BALLOT TO THE PROPER ELECTION OFFICIAL ON OR BEFORE ELECTION DAY, AND THE BALLOT WAS VOTED AND SEALED IN THE ENVELOPE BEFORE I COLLECTED IT.

PRINTED NAME OF BALLOT COLLECTOR: \_\_\_\_\_

SIGNATURE OF BALLOT COLLECTOR: \_\_\_\_\_

DATE OF COLLECTION: \_\_\_\_\_

PRINTED NAME OF VOTER: \_\_\_\_\_

SIGNATURE OF VOTER: \_\_\_\_\_

- Adds additional fields to the affidavit relating to the person picking up and delivering the ballot to the County Recorder



## SENATE BILL 1003

Class 3 Felony.

G. A VOTER MAY DESIGNATE ANY PERSON TO RETURN THE BALLOT TO THE ELECTIONS OFFICIAL FROM WHOM IT CAME OR TO THE PRECINCT BOARD AT A POLLING PLACE WITHIN THE COUNTY EXCEPT THAT NO EARLY BALLOT SHALL BE RETURNED BY ANY PAID OR VOLUNTEER WORKER OF ANY POLITICAL COMMITTEE AS DEFINED BY SECTION 16-901 OR ANY OTHER GROUP OR ORGANIZATION AT WHOSE BEHEST THE INDIVIDUAL DESIGNATED TO RETURN THE BALLOT IS PERFORMING A SERVICE. ANY PERSON WHO KNOWINGLY VIOLATES THIS SUBSECTION IS GUILTY OF A CLASS 6 FELONY. THIS SUBSECTION DOES NOT APPLY TO A CANDIDATE OR A CANDIDATE'S SPOUSE.

- Where did this come from?





## SENATE BILL 1003

- In the General Election two MCED employees, one living in South Phoenix and the other in Maryvale—both with Hispanic surnames, had individuals come to their door who:
  - Said they worked for MCED
  - Said that they were out picking up ballots
  - Asked about how the ballot was voted
  - Ran away when told they were talking to an MCED employee

It is currently against the law to impersonate an elections official.



# SENATE BILL 1003

- Voters felt targeted and we got many phone calls and correspondence.
- This is a voter survey from the General 2012:

## \* Voter Assistance Survey \* Encuesta sobre Ayuda a los Votantes \*

Please complete the following survey and drop it in the mail to us—we want to hear from you. *It's not just your Vote that is your Voice!*  
Por favor complete la siguiente encuesta y mándenla por correo—queremos saber de usted. *¡Su Voto no es su única Voz!*

Your Precinct Name or Number/ Nombre o Número de su Recinto:  
or Your Polling Place Today/ o Su Lugar de Votación Hoy:

2082  
St. Matthews

Did you require any assistance today?/ ¿Necesitó usted algún tipo de ayuda hoy?

Yes/ Sí ☐ No ☐  
Yes/ Sí ☐ No ☒

Did you bring someone along to assist you? / ¿Trajo usted a alguien para que lo/la ayudara?

What type of assistance did you need? / ¿Qué tipo de ayuda necesitó usted?

Language/ Idioma ☐ Physical/ Física ☐ Instructional/ De Instrucción ☒ Other/ Otra where to put my early ballot.

Were the Boardworkers helpful? / ¿Le prestaron ayuda los Oficiales de Elecciones?

Yes/ Sí ☒ No ☐ Comments/ Comentarios: very pleasant

Were you satisfied with the ease of voting?/ ¿Se sintió satisfecho/a con lo fácil de la votación? Yes/ Sí ☒ No ☐ Somewhat /Algo ☐

Do you have any recommendations or suggestions on how Maricopa County Elections Department can better serve you? / ¿Tiene usted alguna recomendación o sugerencia sobre la forma en la que el Departamento de Elecciones del Condado de Maricopa le puede servir mejor?

It was disconcerting to have people knock at my door to collect early ballot.  
How do I know they would deliver or possibly destroy my ballot? Room for fraud?

May we contact you? Lo(a) podemos contactar? Your Name & Number / Su Nombre y Número: \_\_\_\_\_

Thank you for your time in providing us this invaluable feedback. Gracias por su tiempo suministrándonos sus valiosos comentarios.

Survey is available in Braille and Large Print upon request and at our website:

La encuesta está disponible en Braille y en Formato de Letras Grandes si se solicita y en nuestra página electrónica :

[www.recorder.maricopa.gov](http://www.recorder.maricopa.gov) or 602-506-1511



## SENATE BILL 1003

- This was an email that came through the website this spring:

Department: Elections

First Name: [REDACTED]

Last Name: [REDACTED]

E-mail Address: [REDACTED]

Comments: Dear Ms. Purcell,

This today there were minors walking door to door insisting in picking up early ballots in behalf of candidate [REDACTED] and [REDACTED]. These minors stated they were working for [REDACTED] candidate [REDACTED]. They happen to gone to the home of one of the council members insisting in taking his early ballot. It has to be illegal that [REDACTED] candidate [REDACTED] is going door to door with others and collecting ballots. Who is to say they are getting mailed, changed or thrown away if her name is not on them. That they are not pressuring voters to vote their way. I take this very seriously and concerned there is voter fraud being committed.

Can a candidate, a sitting council member, minors go door to door picking up early ballots?

Thank you for looking into this.



## SENATE BILL 1003

- It is important to remember that voters can always check the status of their early ballot to be sure that it was received by MCED (but only a small % do).
- Voters can verify that the ballot was received, find out the status of the signature verification, and go to the polls should that be necessary (if there were any issues with the early ballot).

[Polling Place Locator & Sample Ballots](#)

[Request an Early Ballot](#)

[Early Voting Ballot Status Inquiry](#)

[Early Voting Locations](#)

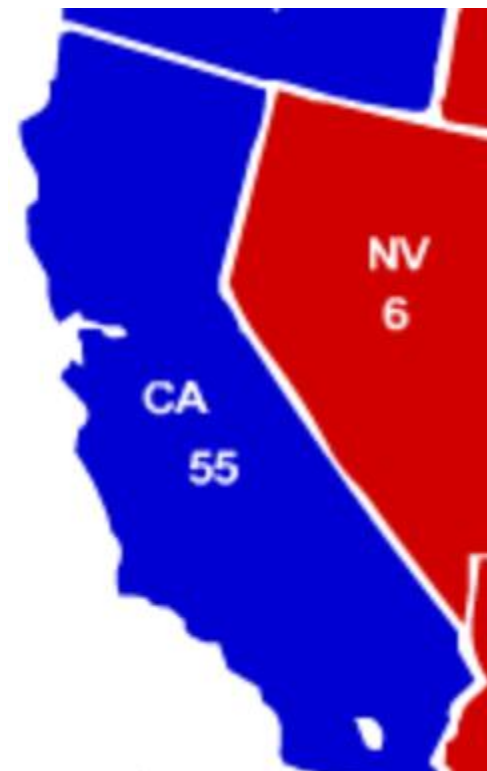
[Status of Provisional Ballot](#)





## SENATE BILL 1003

- It is also critical to protect the voter from groups who may not have the voter's best interest at heart—determining the distinction between a well-intended GOTV effort, and a political ploy to manipulate voted ballots can be a challenge.
- Language was drawn from a similar law in California.







# SENATE BILL 1003

## BILL STATUS OVERVIEW

SB1003

**SPONSORS:** [REAGAN P](#)

**TITLE:** technical correction; agricultural extension  
(NOW: early ballot voting; revisions)

**SENATE FIRST READ:** 01/14/13

**SENATE SECOND READ:** 01/15/13

**COMMITTEES:** **ASSIGNED COMMITTEES ACTION**

<a href="#">Vote Detail</a>	02/07/13	<a href="#">ELEC</a>	02/12/13 (4-3-0-0)	<a href="#">DPA/SE</a>
	01/14/13	<a href="#">RULES</a>	02/18/13	<a href="#">PFCA</a>

**MAJORITY CAUCUS:** 02/19/13 Y

**MINORITY CAUCUS:** 02/19/13 Y

COW ACTION 1: DATE	ACTION	AYES	NAYS	NV	EXC	VAC
02/21/13	<a href="#">DPA</a>	0	0	0	0	

### AMENDMENTS

ELEC (ref Bill) adopted

RULES (ref ELEC) adopted

Reagan flr amend (ref ELEC) adopted

Ableser flr amend (ref ELEC) withdrawn

Gallardo flr amend (ref ELEC) (sub Reagan flr amend (ref ELEC) withdrawn

THIRD READ: DATE	AYES	NAYS	NV	EXC	VAC	EMER	AMEND	RFE	2/3	VOTE	RESULT
<a href="#">Vote Detail</a>	02/25/13	16	12	2	0					Y	PASSED

**TRANSMIT TO HOUSE:** 02/25/13

**HOUSE FIRST READ:** 02/28/13

**COMMITTEES:** **ASSIGNED COMMITTEES ACTION**

<a href="#">Vote Detail</a>	02/28/13	<a href="#">JUD</a>	03/07/13 (5-3-0-0-0)	<a href="#">DPA</a>
	02/28/13	<a href="#">GOV</a>	03/20/13	<a href="#">W/D</a>

<a href="#">Vote Detail</a>	02/28/13	<a href="#">RULES</a>	04/01/13 (6-3-0-0-0)	<a href="#">C&amp;P</a>
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**HOUSE SECOND READ:** 03/04/13

**MAJORITY CAUCUS:** 04/02/13 Y

**MINORITY CAUCUS:** 04/02/13 Y

The top half of the image features a background of soft, horizontal, wavy lines in various shades of blue, creating a sense of motion and depth.

**THE SECOND BIG ONE**



## SENATE BILL 1261

- The PEVL was originally created so that voters who wanted to vote by mail for every election did not have to constantly request a ballot for every election.
- PEVL then provides the voter with the full 26 day EV period in which to vote.
- It is the most efficient way to administer the vote by mail portion of the election because:
  - MCED knows in advance how many ballots to mail
  - Signature Rosters at the polls are marked by system rather than by hand for more accurate records



# SENATE BILL 1261

read:

16-184. Additional violations: classification

A. Any person who knowingly swears falsely to an affidavit required under the provisions of this chapter is guilty of a class 5 felony unless another classification is specifically prescribed in this chapter.

B. An officer of an election who knowingly fails or refuses to perform any duty required of him under this chapter is guilty of a class 2 misdemeanor unless another classification is specifically prescribed in this chapter.

C. ANY PERSON WHO KNOWINGLY ALTERS A VOTER REGISTRATION FORM WITHOUT THE CONSENT OF THE PERSON WHO IS THE REGISTRANT ON THAT FORM IS GUILTY OF A CLASS 6 FELONY.

Sec. 2. Section 16-544, Arizona Revised Statutes, is amended to read:

- The key here is “without the consent of the person who is the registrant”.
- Political party preference, addition to the PEVL—these are all things that occur currently without the voter’s consent.
- Voters should verify their Voter ID Card to ensure accuracy & notify MCED regarding any corrections.



## SENATE BILL 1261

L. NOTWITHSTANDING SUBSECTION K OF THIS SECTION, BY DECEMBER 1 OF EACH EVEN-NUMBERED YEAR, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY SEND A NOTICE TO EACH VOTER WHO IS ON THE PERMANENT EARLY VOTING LIST AND WHO DID NOT VOTE AN EARLY BALLOT IN BOTH THE PRIMARY ELECTION AND THE GENERAL ELECTION FOR THE TWO MOST RECENT GENERAL ELECTIONS FOR FEDERAL OFFICE. THE NOTICE SHALL INFORM THE VOTER THAT IF THE VOTER WISHES TO REMAIN ON THE PERMANENT EARLY VOTING LIST, THE VOTER SHALL DO BOTH OF THE FOLLOWING WITH THE NOTICE RECEIVED:

1. CONFIRM IN WRITING THE VOTER'S DESIRE TO REMAIN ON THE PERMANENT EARLY VOTING LIST.

2. RETURN THE COMPLETED NOTICE TO THE COUNTY OFFICER IN CHARGE OF ELECTIONS WITHIN THIRTY DAYS AFTER RECEIPT BY THE VOTER. THE NOTICE SHALL BE SIGNED BY THE VOTER AND SHALL CONTAIN THE VOTER'S ADDRESS AND DATE OF BIRTH.

M. IF A VOTER RECEIVES A NOTICE AS PRESCRIBED BY SUBSECTION L OF THIS SECTION AND THE VOTER FAILS TO RESPOND WITHIN THE THIRTY-DAY PERIOD, THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL REMOVE THE VOTER'S NAME FROM THE PERMANENT EARLY VOTING LIST. THIS SUBSECTION DOES NOT APPLY TO VOTERS WHO FAILED TO VOTE AN EARLY BALLOT AND WHO MODIFIED THEIR VOTER REGISTRATION INFORMATION DURING THE PERIOD FOR EARLY VOTING FOR EITHER THE IMMEDIATELY PRECEDING PRIMARY OR GENERAL ELECTION.





## SENATE BILL 1261

- Independently produces PEVL request cards have to contain this language:

~~7.~~ N. A candidate, A political committee or ~~other~~ ANOTHER organization may distribute permanent early voting list request forms to voters. PERMANENT EARLY VOTING LIST REQUEST FORMS THAT ARE DISTRIBUTED BY A CANDIDATE, A POLITICAL COMMITTEE OR ANOTHER ORGANIZATION SHALL INCLUDE THE FOLLOWING STATEMENT:

NOTICE: BY SIGNING THIS FORM YOU ARE AGREEING TO RECEIVE AN EARLY BALLOT FOR EVERY ELECTION IN WHICH YOU ARE ELIGIBLE TO VOTE. YOU ARE INFORMING THE RECORDER THAT YOU DO NOT WISH TO VOTE AT YOUR ASSIGNED POLLING LOCATION FOR ALL ELECTIONS. IF YOU WOULD LIKE TO VOTE AT YOUR ASSIGNED POLLING LOCATION, DO NOT SIGN THIS FORM.

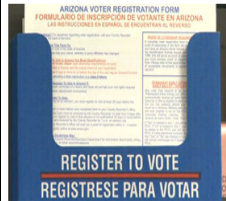
PERMANENT EARLY VOTING LIST REQUEST FORMS THAT ARE SUBMITTED WITHOUT THE STATEMENT PRESCRIBED BY THIS SUBSECTION ARE VALID FOR PURPOSES OF REQUIRING THAT THE VOTER BE SENT AN EARLY BALLOT FOR THE IMMEDIATELY SUCCEEDING ELECTION, BUT THAT VOTER'S NAME SHALL NOT BE PLACED ON THE PERMANENT EARLY VOTING LIST. If the permanent early voting list request forms include a printed address for return, that address shall be the political subdivision



# SENATE BILL 1261

## Advocacy groups' poll indicates most voters oppose early ballot bill

By Ben Giles - ben.giles@azcapitoltimes.com  
Published: April 15, 2013 at 5:24 pm  
5:24 pm Mon, April 15, 2013



(Cronkite News Service photo by Cronkite NewsWatch)

Nearly 60 percent of Arizona voters oppose a bill that could stop some voters from automatically receiving early mail-in ballots, according to a poll announced Monday by liberal advocacy groups ONE Arizona and Arizona Working Families.

The autodial poll, which surveyed Arizonans who voted in the 2012 election, found that 59 percent of voters are opposed to Sen. Michele Reagan's SB1261. The bill aims to purge voters from the state's permanent early voting list, better known as PEVL, if they don't cast early ballots.

Of the 600 voters surveyed, only 33 percent said they were in favor of the bill, which Democratic lawmakers and Latino groups are calling for Reagan to scrap this legislative session.

Lobbyist John Loredó said the groups are still working to defeat the bills at the state Capitol, but are meeting with the Mexican American Legal Defense and Education Fund, a national Latino civil rights group, to discuss legal options in the event the bill passes and is signed by Gov. Jan Brewer.

Groups also oppose SB1003, which would make it a felony for certain individuals and organizations to turn in ballots for a voter unless they're authorized to do so.

"We will defend our community. That's what we do," Loredó said at a Monday morning press conference. "These bills, we believe, are a violation of the Voting Rights Act, so we reserve the right on behalf of our community to challenge these bills in court."  
Reagan, R-Scottsdale, has declined to stop the bills, and said groups such as CASE haven't provided any constructive criticism to the bills.

"Don't just say, 'Kill the bill, it's not right at this time,'" Reagan told the Arizona Capitol Times. "If you have legitimate changes that you'd like to see, let me know."  
The poll, conducted by Democratic polling firm Lake Research Partners, has a margin of error of plus or minus 4 percentage points.

Opponents of Reagan's bills stressed that SB1261 would voters of all ethnicities, not just Latinos. In the poll, 81 percent of Democrats said they were registered to vote through PEVL, as did 51 percent of Republicans and 63 percent of independents and other designations.

But Monica Sandschafer, executive director of the Arizona Center for Empowerment, called the legislation "a direct response to the Latino vote."

"When [SB1261] was first written, it was written retroactive to go back to 2010, when ONE Arizona formed," Sandschafer said. "It's when we first started mobilizing voters and we turned out 90,000 low-propensity Latino voters to vote. We signed up 48,000 low-propensity Latino voters on the permanent early voting list. That's when we started to see an attack on the permanent early voting list, only when we signed up Latinos."

Groups associated with ONE Arizona said they were furious that Reagan missed a meeting Thursday with Latino get-out-the-vote groups. Reagan had told Senate Minority Leader Leah Landrum Taylor, D-Phoenix, that she would miss the meeting, but the message did not make it to the advocacy groups or the Arizona Association of Counties, which is backing SB1261 and attended Thursday's brief meeting.

"We came together to meet with Sen. Reagan, but she stood us up. She didn't call, so there was no conversation to be had," said Brendan Walsh, executive director of CASE. "As a series of organizations, I don't know that we've ever been treated with such disrespect as we have in this process."

- This poll was in the news a few weeks ago.
- For every poll you see it is critical to do two things:
  - Margin of error?
  - Actual question?



# SENATE BILL 1261



Celinda Lake  
President

Alysia Snell  
Partner

David Mermin  
Partner

Robert G. Meadow, Ph.D.  
Partner

Daniel R. Gotoff  
Partner

Joshua E. Ullbarri  
Partner

Rick A. Johnson  
Senior Vice President of  
Marketing

Robert X. Hillman  
Chief Financial Officer

Shannon Marshall  
Chief Operating Officer

To: Interested Parties

CC: Arizona Working Families

From: Joshua Ullbarri and Celinda Lake

Re: Survey Finds Arizona Voters Oppose Changes to PEVL System<sup>1</sup>

Date: April 12, 2013

A recent Lake Research Partners survey among 2012 voters shows that enacting current legislation to remove certain voters from the PEVL designation would clearly go against public opinion.

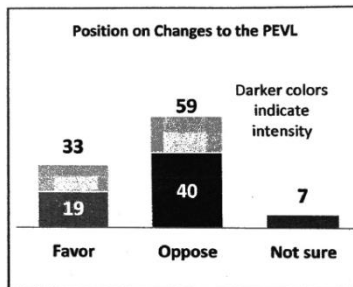
Almost six in ten Arizona voters oppose current legislation that would remove voters from the PEVL system if they failed to vote by mail for two consecutive elections.<sup>2</sup> In fact, more voters strongly oppose (40%) the measure than support it in total (33% favor it overall).

Opposition is broad and deep and includes:

- 59% of white voters
- 62% of Latino voters
- 57% of women and 61% of men
- 64% of voters currently registered as PEVL voters
- 81% of Democrats registered through the PEVL, 63% of independents/other designations registered through PEVL, and 51% of Republicans registered through PEVL
- At least 55% of voters in the four major regions of Arizona (Maricopa, Pima, Arizona South, and Arizona North), including 62% of voters in vote-rich Maricopa.

Legislators, and other elected officials on the 2014 ballot, should take note.

Among 2014 voters, 61% oppose the legislation while just 33% favor it. The PEVL has the power to become a voting issue and can cut against officials who choose to support current legislation that most voters oppose.



- This is the official press release from the polling agency.



# SENATE BILL 1261

AZ Working Families – PEVL Legislation – April 2013

2

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<sup>i</sup> **Methodology:** This automated telephone survey among 600 Arizonans who voted in the 2012 election was conducted by Lake Research Partners on behalf of the Arizona Working Families Coalition from April 7-9, 2013. The sample was drawn randomly from a file of voters who participated in the November 2012 General Election. The data were weighted by age, race, and party registration to more closely reflect that electorate. A total of 968 interviews were completed before weighting. The margin of error for the full sample of 600 completes is +/- 4.0%.

<sup>ii</sup> Currently, the Arizona state legislature is considering Senate Bill 12-61 dealing with the Permanent Early Voting Lists, also known as peh-vuhl. This bill would allow county recorders to remove voters from the permanent early voting lists if they did not vote by mail for two consecutive elections. That means if voters on the PEVL (peh-vuhl) list take their mail ballots to the polling center for two consecutive elections instead of voting by mail, they could be removed from the Permanent Early Voting List and temporarily unable to vote by mail. Press 1 if you strongly favor this proposal. Press 2 if you somewhat favor this proposal. Press 3 if you somewhat oppose this proposal. Press 4 if you strongly oppose the proposal. Press 5 if you are not sure.

- +/- 4.0% is reasonable
- How about the question?



## SENATE BILL 1261

" Currently, the Arizona state legislature is considering Senate Bill 12-61 dealing with the Permanent Early Voting Lists, also known as peh-vuhl. This bill would allow county recorders to remove voters from the permanent early voting lists if they did not vote by mail for two consecutive elections. That means if voters on the PEVL (peh-vuhl) list take their mail ballots to the polling center for two consecutive elections instead of voting by mail, they could be removed from the Permanent Early Voting List and temporarily unable to vote by mail. Press 1 if you strongly favor this proposal. Press 2 if you somewhat favor this proposal. Press 3 if you somewhat oppose this proposal. Press 4 if you strongly oppose the proposal. Press 5 if you are not sure.

- It is **NOT TRUE** that the time frame is 2 consecutive elections (a couple months), it is 2 federal election cycles (4 YEARS).
- It is **NOT TRUE** that voters who drop off their ballot at the polls would come off PEVL—they have voted their PEVL ballot.
- It is **NOT TRUE** that voters would temporarily be unable to vote by mail.





# SENATE BILL 1261

- Both bills had hearings & meetings with stakeholders in order to improve the legislation.

## SB1261 Daily History

Date	Action
PERMANENT EARLY VOTING LISTS; AMENDMENTS 4/2	from House rules okay. Stricken from House consent calendar by Foresa, Gallego.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 4/1	to House consent calendar.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 3/20	withdrawn from House gov.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 3/14	from House jud do pass.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 2/28	referred to House jud, gov.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 2/25	passed Senate <u>16-12</u> ; ready for House.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 2/21	Senate COW approved with floor amend <u>#4301</u> and the rules tech amendment.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 2/12	from Senate rules with a technical amendment.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 2/6	from Senate elect do pass.
PERMANENT EARLY VOTING LISTS; AMENDMENTS 1/30	referred to Senate elect.

## SB1261 is on the House COW calendar for tomorrow afternoon

- We are set to go with three amendments
- 1 by Quezada to remove penalty
- 1 by Hale to require voter education
- 1 by J. Pierce that has four components
  - No notice to people who have already reaffirmed PEVL in last two years
  - No notice to people who are address protected
  - Delayed effective date of 1-1-15 for the "magic words"
  - Data collection starts in 2012 not 2010

Many amendments have been discussed.



## SENATE BILL 1261

- The Primary is listed, how does that impact voters not registered to a recognized party?
- If a PEVL voter is unaffiliated and ***DOES NOT*** specify which party's ballot they wish to vote, they are not mailed a ballot and are not considered as "not voting"—they never got a ballot ***TO VOTE***.
- If a PEVL voter is unaffiliated and ***DOES*** specify a party ballot which is mailed but not voted—they would be considered because they ***did not vote the ballot mailed to them***.



# SENATE BILL 1261

- Progress was a standard in the Cap Times & Yellow Sheets:

## When bills get hung up, is it policy or personal?

By Ben Giles - ben.giles@azcapitoltimes.com  
Arizona Capitol Times  
Published: May 13, 2013 at 10:06 am  
10:06 am Mon, May 13, 2013



Reagan



Ugenti

Bills die for a variety of reasons at the Arizona Capitol. Some die because of the opposition of sponsors and lawmakers who vote on the measures.

## Early voting bills revived — but only temporarily

By Hank Stephenson  
Published: May 20, 2013 at 11:21 am  
11:21 am Mon, May 20, 2013



## Senate leaders move to revive election bills

By Cristina Silva, Associated Press  
Published: May 15, 2013 at 9:32 am  
9:32 am Wed, May 15, 2013



Arizona Senate leaders resurrected a handful of election bills Tuesday that had been stalled amid opposition.

Senate President Andy Biggs unveiled the election omnibus bill that mirrors a handful of election bills.

The omnibus bill would allow county election officials to remove voters from the permanent early voting list if they do not complete notice within 30 days confirming their intent to vote by mail in the future. Local elected officials



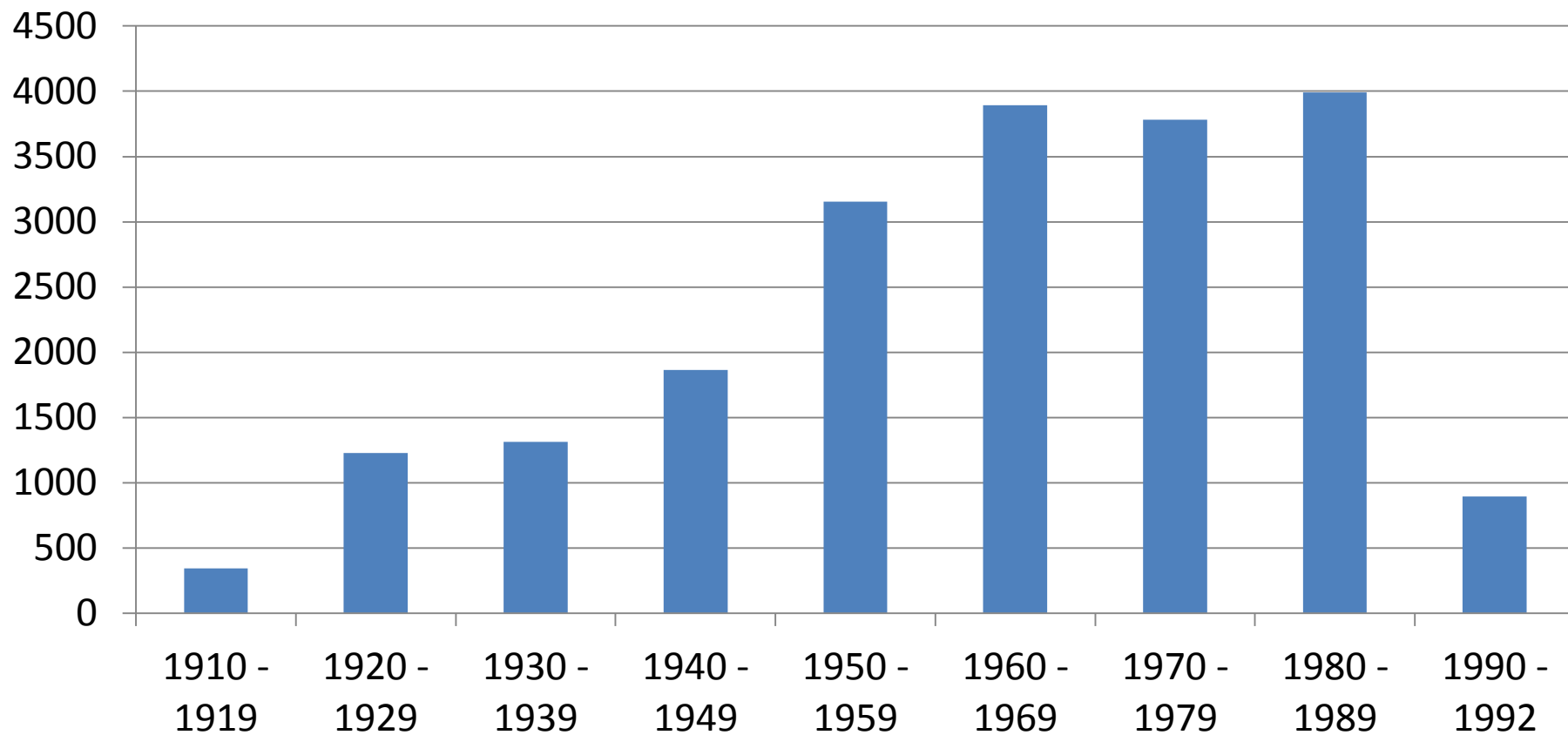
## SENATE BILL 1261

- If this passes, who would be impacted?
- Lets look at the voters (20,462) who have been on PEVL since 2010 & not voted the ballots mailed to them by:
  - Age
  - Districts
  - Date of Registration, are these new voters?



# SENATE BILL 1261

**Decade of Birth**

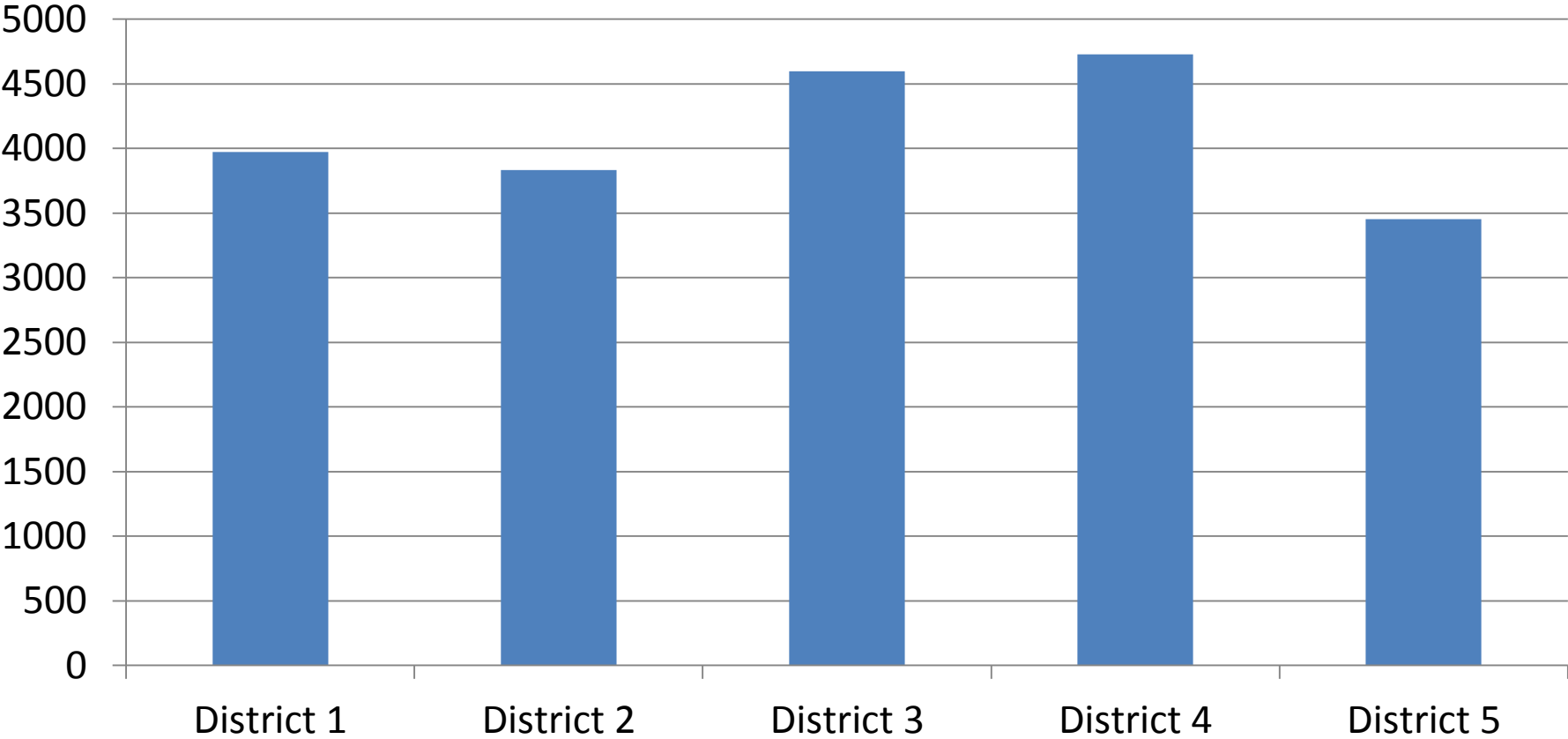






# SENATE BILL 1261

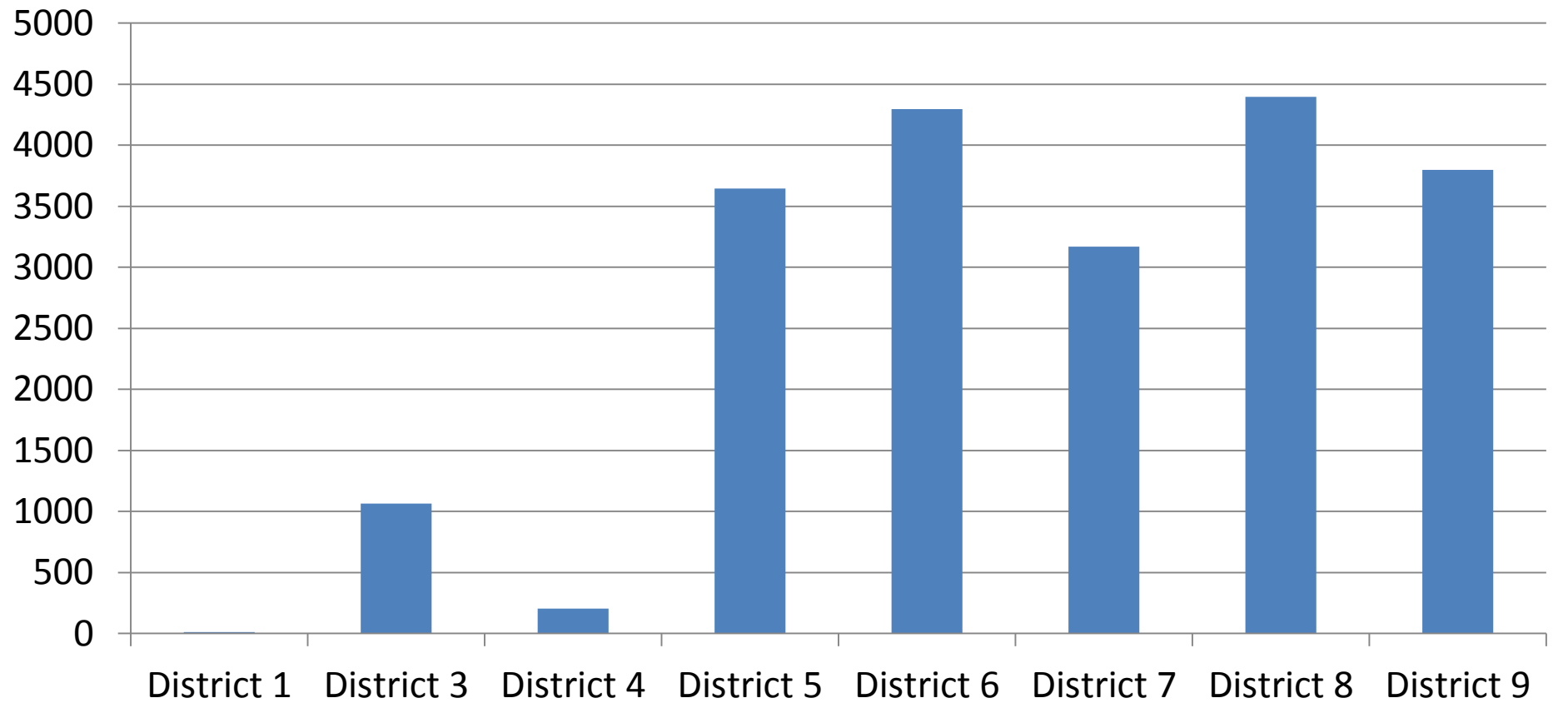
Board of Supervisor District





# SENATE BILL 1261

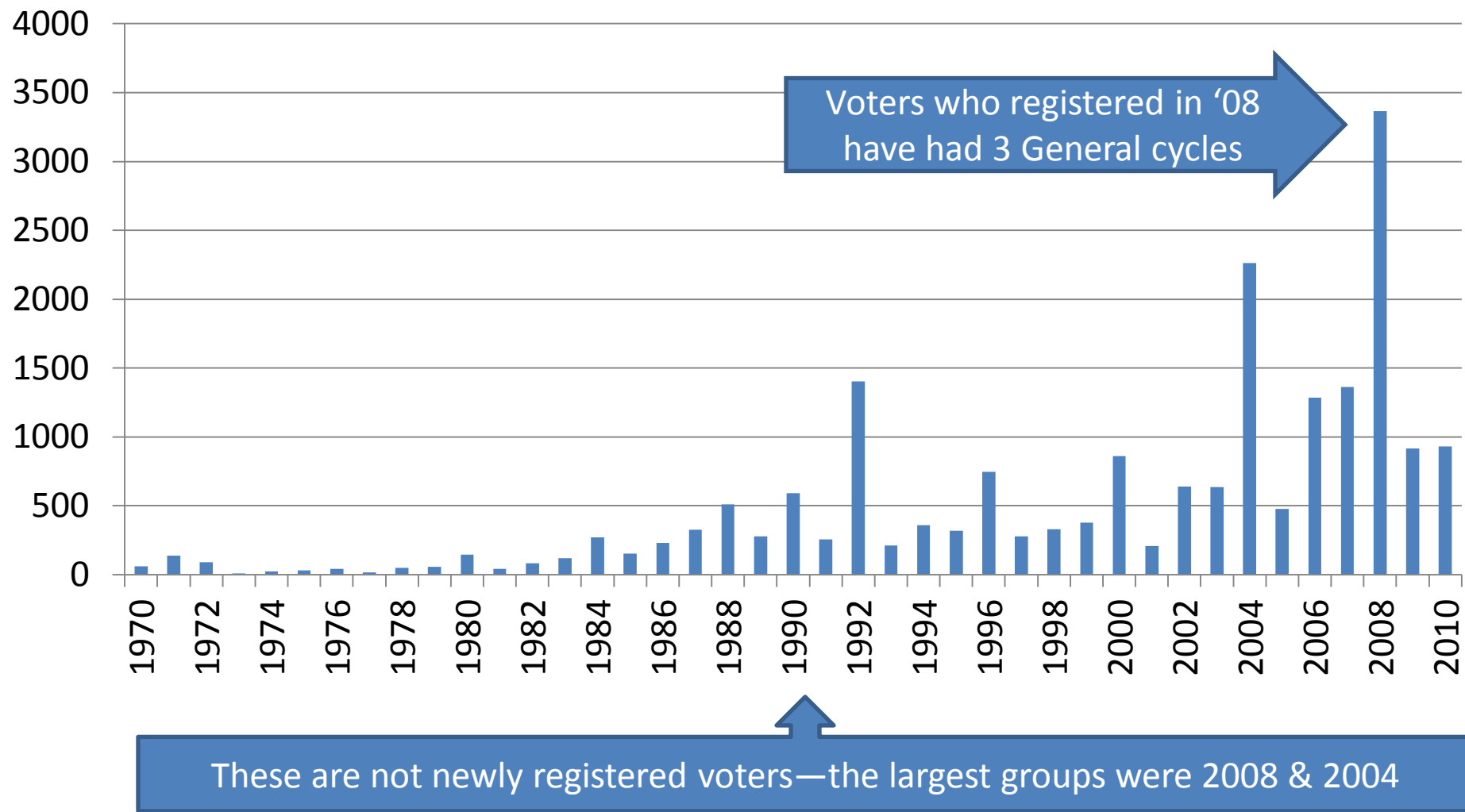
Congressional District





# SENATE BILL 1261

Year of Registration





## SENATE BILL 1261

- This is about the voters who are on PEVL who end up at the polls voting a provisional ballot (72,000 of the 122,000 in the General Election of 2012) and improving their voting experience.
- This is about being good stewards of the public resources: each EV packet mailed costs around \$2 & each provisional PEVL voter costs a little more than \$6 (EV packet mailed plus provisional materials & processing).



# SENATE BILL 1261

## BILL STATUS OVERVIEW

**SB1261**

**SPONSORS:** [REAGAN](#) P [DRIGGS](#) P [WORSLEY](#) C

**TITLE:** permanent early voting lists; amendments

**SENATE FIRST READ:** 01/30/13

**SENATE SECOND READ:** 01/31/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

<a href="#">Vote Detail</a>	01/30/13	<a href="#">ELEC</a>	02/05/13 (4-3-0-0) <a href="#">DP</a>
	01/30/13	<a href="#">RULES</a>	02/11/13 <a href="#">PFCA</a>

**MAJORITY CAUCUS:** 02/12/13 Y

**MINORITY CAUCUS:** 02/12/13 Y

COW ACTION 1: DATE	ACTION	AYES	NAYS	NV	EXC	VAC
02/21/13	<a href="#">DPA</a>	0	0	0	0	

### AMENDMENTS

RULES (ref Bill) adopted

Reagan flr amend (ref Bill) adopted

Gallardo #1 flr amend (ref Bill) failed

Gallardo #2 flr amend (ref Bill) failed

THIRD READ: DATE	AYES	NAYS	NV	EXC	VAC	EMER	AMEND	RFE 2/3	VOTE RESULT
<a href="#">Vote Detail</a> 02/25/13	16	12	2	0			Y		PASSED

**TRANSMIT TO HOUSE:** 02/25/13

**HOUSE FIRST READ:** 02/28/13

**COMMITTEES: ASSIGNED COMMITTEES ACTION**

<a href="#">Vote Detail</a>	02/28/13	<a href="#">JUD</a>	03/14/13 (6-2-0-0-0) <a href="#">DP</a>
	02/28/13	<a href="#">GOV</a>	03/20/13 <a href="#">W/D</a>
<a href="#">Vote Detail</a>	02/28/13	<a href="#">RULES</a>	04/01/13 (7-0-0-2-0) <a href="#">C&amp;P</a>

**HOUSE SECOND READ:** 03/04/13

**MAJORITY CAUCUS:** 04/02/13 Y

**MINORITY CAUCUS:** 04/02/13 Y

**CONSENT CALENDAR:** 04/01/13 2:16 PM Object



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Omnibus—36 pages...

**SB 1493**



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on Rules)

- Combines:
  - HB 2527 consolidation & polling place securing efforts
  - SB 1261 PEVL removal beginning January 2015

9-231. Common council; date of election

A. The corporate powers of a town incorporated under ~~the provisions of section 9-101~~ shall be vested in a common council. The first common council shall be appointed by the board of supervisors, ~~upon~~ ON declaring the town incorporated, and the members shall continue in office until their successors are elected and qualified. The successors shall be elected by qualified electors residing in the town at an election held for that purpose on the first Tuesday in May following, and on the third Tuesday in May each two years thereafter, ~~unless and until the date of such election is changed pursuant to the provisions of subsection C of this section~~ PURSUANT TO section 9-204.

emergency ~~conditions~~ DESIGNATIONS, electioneering and other political activity shall be permitted outside of the seventy-five foot limit. If an emergency arises after the county recorder's OR OTHER OFFICER IN CHARGE OF ELECTIONS' initial website posting, the county recorder OR OTHER OFFICER IN CHARGE OF ELECTIONS shall update the website as soon as is practicable to include any new polling places, shall highlight the polling place location on the website and shall specify the reason the emergency ~~exemption~~ DESIGNATION was granted AND THE NUMBER OF ATTEMPTS THAT WERE MADE TO FIND A POLLING PLACE BEFORE GRANTING AN EMERGENCY DESIGNATION.

1. FOR THE PURPOSES OF THIS SECTION, A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL DESIGNATE A POLLING PLACE AS AN EMERGENCY POLLING PLACE AND PROHIBIT PERSONS FROM ELECTIONEERING AND ENGAGING IN OTHER POLITICAL ACTIVITY IN AREAS THAT ARE OUTSIDE OF THE SEVENTY-FIVE FOOT LIMIT PRESCRIBED BY SECTION 16-515 BUT THAT ARE INSIDE THE PROPERTY OF THE FACILITY THAT IS HOSTING THE POLLING PLACE IF ANY OF THE FOLLOWING OCCURS:

1. AN ACT OF GOD RENDERS A PREVIOUSLY SET POLLING PLACE UNUSABLE.

L. NOTWITHSTANDING SUBSECTION K OF THIS SECTION, BY DECEMBER 1 OF EACH EVEN-NUMBERED YEAR, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY SEND A NOTICE TO EACH VOTER WHO IS ON THE PERMANENT EARLY VOTING LIST AND WHO DID NOT VOTE AN EARLY BALLOT IN BOTH THE PRIMARY ELECTION AND THE GENERAL ELECTION FOR THE TWO MOST RECENT GENERAL ELECTIONS FOR FEDERAL OFFICE, UNLESS THE VOTER HAD CONTACTED THE COUNTY RECORDER IN THE IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS TO REAFFIRM THE VOTER'S INTENT TO REMAIN ON THE PERMANENT EARLY VOTING LIST. THE NOTICE PRESCRIBED BY THIS SUBSECTION DOES NOT APPLY TO PERSONS WHOSE VOTER REGISTRATION RECORDS ARE SEALED AS PRESCRIBED IN SECTION 16-153. THE NOTICE SHALL INFORM THE VOTER THAT IF THE VOTER WISHES TO REMAIN ON THE PERMANENT EARLY VOTING LIST, THE VOTER SHALL DO BOTH OF THE FOLLOWING WITH THE NOTICE RECEIVED:

1. CONFIRM IN WRITING THE VOTER'S DESIRE TO REMAIN ON THE PERMANENT EARLY VOTING LIST.

2. RETURN THE COMPLETED NOTICE TO THE COUNTY OFFICER IN CHARGE OF ELECTIONS WITHIN THIRTY DAYS AFTER RECEIPT BY THE VOTER. THE NOTICE SHALL BE SIGNED BY THE VOTER AND SHALL CONTAIN THE VOTER'S ADDRESS AND DATE OF BIRTH.

M. IF A VOTER RECEIVES A NOTICE AS PRESCRIBED BY SUBSECTION L OF THIS SECTION AND THE VOTER FAILS TO RESPOND WITHIN THE THIRTY-DAY PERIOD, THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL REMOVE THE VOTER'S NAME FROM THE PERMANENT EARLY VOTING LIST. THIS SUBSECTION DOES NOT APPLY TO VOTERS WHO FAILED TO VOTE AN EARLY BALLOT AND WHO MODIFIED THEIR VOTER REGISTRATION INFORMATION DURING THE PERIOD FOR EARLY VOTING FOR EITHER THE IMMEDIATELY PRECEDING PRIMARY OR GENERAL ELECTION.

N. A candidate, A political committee or ~~other~~ ANOTHER organization may distribute permanent early voting list request forms to voters. BEGINNING JANUARY 1, 2015, PERMANENT EARLY VOTING LIST REQUEST FORMS THAT ARE DISTRIBUTED BY A CANDIDATE, A POLITICAL COMMITTEE OR ANOTHER ORGANIZATION SHALL INCLUDE THE FOLLOWING STATEMENT:

NOTICE: BY SIGNING THIS FORM YOU ARE AGREEING TO RECEIVE AN EARLY BALLOT FOR EVERY ELECTION IN WHICH YOU ARE ELIGIBLE TO VOTE. YOU ARE INFORMING THE RECORDER THAT YOU DO NOT WISH TO VOTE AT YOUR ASSIGNED POLLING LOCATION FOR ALL ELECTIONS. IF YOU



# Omnibus

## SB 1493

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on Rules)

- Combines:
  - SB 1003 colored envelope,
  - EV affidavit changes,
  - Penalties for voted ballot collection

C. FOR ALL ELECTIONS THAT INCLUDE A CANDIDATE OR ISSUE ON THE BALLOT FOR WHICH THE SECRETARY OF STATE IS THE FILING OFFICER, THE SECRETARY OF STATE, IN COOPERATION WITH COUNTY ELECTION OFFICIALS, SHALL SELECT A UNIQUE COLOR FOR ALL OUTBOUND EARLY BALLOT ENVELOPES AND ALL INBOUND EARLY BALLOT RETURN ENVELOPES.

If the voter was assisted by another person in marking **OR RETURNING** the ballot, complete the following:

I declare the following under penalty of perjury: At the registered voter's request I assisted the voter identified in this affidavit with marking **OR RETURNING** the voter's ballot, I marked **OR RETURNED** the ballot as directly instructed by the voter. I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation **OR WAS OTHERWISE UNABLE TO RETURN THE BALLOT** and I understand that there is no power of attorney for voting and that the voter must be able to make ~~their~~ **THE VOTER'S** selection even if ~~they~~ **THE VOTER** cannot physically mark the ballot.

Name of voter assistant: \_\_\_\_\_

G. A VOTER MAY DESIGNATE ANY PERSON TO RETURN THE BALLOT TO THE ELECTIONS OFFICIAL FROM WHOM IT CAME OR TO THE PRECINCT BOARD AT A POLLING PLACE WITHIN THE COUNTY EXCEPT THAT NO EARLY BALLOT SHALL BE COLLECTED OR RETURNED BY EITHER OF THE FOLLOWING:

1. ANY PAID OR VOLUNTEER WORKER OF ANY POLITICAL COMMITTEE AS DEFINED BY SECTION 16-901. A PRECINCT COMMITTEEMAN IS NOT PRESUMED TO BE ACTING ON BEHALF OF A POLITICAL COMMITTEE UNLESS AN AGENT OF THE POLITICAL COMMITTEE OR PARTY HAS DIRECTED PRECINCT COMMITTEEMEN TO COLLECT OR RETURN EARLY BALLOTS.

2. ANY OTHER GROUP OR ORGANIZATION ON WHOSE BEHALF AN INDIVIDUAL IS DIRECTED TO COLLECT OR RETURN THE BALLOT.

H. ANY PERSON WHO KNOWINGLY VIOLATES SUBSECTION G OF THIS SECTION IS GUILTY OF A CLASS 6 FELONY. SUBSECTION G OF THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO IS COLLECTING OR RETURNING A BALLOT AND WHO IS ACTING WITHOUT DIRECTION FROM A POLITICAL COMMITTEE, GROUP OR ORGANIZATION.

~~6-~~ I. A person who engages or participates in a pattern of ballot



# Omnibus

## SB 1493

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

~~1.~~ N. A candidate, A political committee or ~~other~~ ANOTHER organization may distribute permanent early voting list request forms to voters. BEGINNING JANUARY 1, 2015, PERMANENT EARLY VOTING LIST REQUEST FORMS THAT ARE DISTRIBUTED BY A CANDIDATE, A POLITICAL COMMITTEE OR ANOTHER ORGANIZATION SHALL INCLUDE THE FOLLOWING STATEMENT:

NOTICE: BY SIGNING THIS FORM YOU ARE AGREEING TO RECEIVE AN EARLY BALLOT FOR EVERY ELECTION IN WHICH YOU ARE ELIGIBLE TO VOTE. YOU ARE INFORMING THE RECORDER THAT YOU DO NOT WISH TO VOTE AT YOUR ASSIGNED POLLING LOCATION FOR ALL ELECTIONS. IF YOU WOULD LIKE TO VOTE AT YOUR ASSIGNED POLLING LOCATION, DO NOT SIGN THIS FORM.

PERMANENT EARLY VOTING LIST REQUEST FORMS THAT ARE SUBMITTED ON OR AFTER JANUARY 1, 2015 WITHOUT THE STATEMENT PRESCRIBED BY THIS SUBSECTION ARE VALID FOR PURPOSES OF REQUIRING THAT THE VOTER BE SENT AN EARLY BALLOT FOR THE IMMEDIATELY SUCCEEDING ELECTION, BUT THAT VOTER'S NAME SHALL NOT BE PLACED ON THE PERMANENT EARLY VOTING LIST.

- Combines:
  - SB 1261 language necessary to be added to PEVL



0 sections for convenience in handling. Not more than fifteen signatures on  
1 one sheet shall be counted. THE POLITICAL COMMITTEE THAT FILES THE PETITIONS  
2 SHALL ORGANIZE THE SIGNATURE SHEETS AND GROUP THEM BY THE COUNTY OF RESIDENCE  
3 OF THE MAJORITY OF THE PERSONS SIGNING THAT SIGNATURE SHEET, BY CIRCULATOR ON  
4 THAT SIGNATURE SHEET AND BY THE NOTARY PUBLIC WHO NOTARIZED THE CIRCULATOR'S  
5 SIGNATURE ON THAT SHEET. THE SECRETARY OF STATE MAY RETURN AS UNFILED ANY

- Combines:

- HB 2305 requirement that petitions be organized by county, circulator, then notary
- HB 2305 Circulator checks:

amendments made to the ordinance by the legislative body.

F. ANY POLITICAL COMMITTEE MAY SUBMIT TO THE SECRETARY OF STATE FORTY-FIVE DAYS BEFORE THE DEADLINE FOR FILING ITS PETITION A LIST OF ALL PETITION CIRCULATORS WHO CIRCULATED THAT PETITION AND A COPY OF A CRIMINAL RECORDS CHECK VERIFIED THROUGH SOURCE DOCUMENTS PERFORMED ON EACH PETITION CIRCULATOR BY AN ENTITY LICENSED TO DO SO UNDER TITLE 32, CHAPTER 24 OR SIMILARLY LICENSED IN ANOTHER STATE. IF THE BACKGROUND CHECK WAS PERFORMED AND PROVIDED BY A PERSON OR ENTITY WHO WAS ENGAGED IN AN ARM'S LENGTH TRANSACTION WITH THE COMMITTEE, INCLUDING ANY OF ITS EMPLOYEES, VENDORS, CONTRACTORS OR SUBCONTRACTORS, A REBUTTABLE PRESUMPTION ARISES AND IN ANY CHALLENGE TO THOSE PETITION CIRCULATORS THE PRESUMPTION MUST BE OVERCOME BY A SHOWING OF A PREPONDERANCE OF THE EVIDENCE THAT THE CIRCULATOR WAS NOT ELIGIBLE TO REGISTER TO VOTE IN THIS STATE. THE SECRETARY OF STATE MAY ADOPT BY RULE APPROPRIATE STANDARDS FOR DETERMINING WHETHER A TRANSACTION BETWEEN A POLITICAL COMMITTEE, ITS EMPLOYEES, VENDORS, CONTRACTORS AND SUBCONTRACTORS AND THE PERSON OR ENTITY PROVIDING THE CIRCULATORS' BACKGROUND CHECKS CONSTITUTES AN ARM'S LENGTH TRANSACTION. FOR THE PURPOSES OF THIS SUBSECTION:

1. "AFFILIATE" MEANS PARTIES THAT ARE RELATED BY BLOOD OR MARRIAGE, EMPLOYMENT OR AGENCY OR, IN THE CASE OF ENTITIES, THAT ARE UNDER DIRECT OR INDIRECT COMMON CONTROL OR ONE OF WHICH CONTROLS THE OTHER.
2. "ARMS LENGTH TRANSACTION" MEANS AN AGREEMENT TO PROVIDE A CRIMINAL RECORDS CHECK NEGOTIATED BETWEEN A WILLING COMMITTEE, INCLUDING ANY OF ITS EMPLOYEES, VENDORS, CONTRACTORS OR SUBCONTRACTORS AND A WILLING ENTITY LICENSED UNDER TITLE 32, CHAPTER 24 OR SIMILARLY LICENSED IN ANOTHER STATE WHERE THE PARTIES ARE NOT AFFILIATES.





# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

B. On receipt of the application, the secretary of state shall assign an official serial number to the petition, which number shall appear in the lower right-hand corner of each side of each copy thereof, and issue that number to the applicant. ~~THE SECRETARY OF STATE SHALL ASSIGN~~ numbers ~~shall be assigned~~ to petitions ~~by the secretary of state~~ in numerical sequence, and a record shall be maintained in ~~his~~ ~~THE SECRETARY OF STATE'S~~ office of each application received and of the numbers assigned and issued to the applicant. ~~WHEN THE APPLICATION IS RECEIVED BY THE SECRETARY OF STATE AND MARKED BY THE SECRETARY OF STATE WITH AN OFFICIAL TIME AND DATE OF RECEIPT, THE TIME-AND-DATE-MARKED TEXT THAT ACCOMPANIED THE APPLICATION CONSTITUTES THE OFFICIAL COPY OF THE TEXT OF THE MEASURE OR CONSTITUTIONAL AMENDMENT AND SHALL BE USED IN ALL INSTANCES AS THE TEXT OF THE MEASURE OR CONSTITUTIONAL AMENDMENT. FOR ANY SUBSEQUENT CHANGE IN THE TEXT OF THE MEASURE OR CONSTITUTIONAL AMENDMENT BY THE APPLICANT, THE APPLICANT SHALL FILE A NEW APPLICATION AND TEXT, SHALL RECEIVE A NEW OFFICIAL SERIAL NUMBER AND SHALL USE AS THE TEXT OF THE MEASURE OR CONSTITUTIONAL AMENDMENT THE TIME-AND-DATE-MARKED TEXT THAT ACCOMPANIED THE NEW APPLICATION.~~

C. The secretary of state shall make available to each applicant by

letters of the material and shall indicate material added or new material by printing the letters of the material in capital letters. ~~THE SECRETARY OF STATE'S TIME-AND-DATE-MARKED COPY OF THE MEASURE OR CONSTITUTIONAL AMENDMENT WITH ITS PROPOSED TEXT SET OUT IN FULL WITH THE ORIGINAL AND THE AMENDED TEXT CONSTITUTES THE FULL AND CORRECT COPY AND IS THE ONLY VALID COPY OF THE TITLE AND TEXT OF THE MEASURE FOR CIRCULATION FOR SIGNATURES. SIGNATURES THAT ARE COLLECTED WITH ANY COPY OF THE MEASURE OR CONSTITUTIONAL AMENDMENT THAT IS NOT A FACSIMILE OF THE TIME-AND-DATE-MARKED COPY WITH TITLE AND TEXT THAT IS IDENTICAL TO THE TIME-AND-DATE-MARKED COPY ARE INVALID.~~

C. The person before whom the signatures, names and addresses were

- Adds:

- Clarifying language on what is official language of petition



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

be registered as circulators with the secretary of state before circulating petitions. SIGNATURES COLLECTED BY CIRCULATORS WHO HAVE NOT REGISTERED WITH THE SECRETARY OF STATE ARE INVALID AND SHALL NOT BE COUNTED. The secretary of state shall provide for a method of receiving service of process for those

- Adds:
  - Signatures collected by unregistered circulators are invalid
  - Filing agents will not refuse petition or petition sheet for any reason other than prescribed in statute

be established by a city or town by charter or ordinance.

E. THE CITY OR TOWN CLERK OR THE COUNTY RECORDER OR COUNTY OFFICER IN CHARGE OF ELECTIONS WHO RECEIVES PETITIONS FOR FILING SHALL NOT REMOVE OR OTHERWISE REFUSE TO ACCEPT FOR FILING A PETITION, A PETITION SHEET OR A SIGNATURE FOR ANY REASON OTHER THAN THOSE PRESCRIBED IN STATUTE OR IN THE CONSTITUTION.

F. F. Deference in this section to duties to be performed by city or



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

- Adds:
  - Signatures are also invalid if they do not:
    - Have the complete title and official date and time from SOS
    - Circulated by unregistered circulator
    - Dated earlier than application date for the measure
    - Box for paid or volunteer—neither or both marked

19-121.01. Secretary of state; removal of petition and ineligible signatures; facsimile sheets; random sample

A. Within twenty days, excluding Saturdays, Sundays and other legal holidays, of the date of filing of an initiative or referendum petition and issuance of the receipt, the secretary of state shall:

1. Remove the following:

(a) Those sheets not attached to a copy of the COMPLETE title and text of the measure THAT IS MARKED BY THE OFFICIAL DATE AND TIME OF RECEIPT BY THE SECRETARY OF STATE.

(b) The copy of the title and text from the remaining petition sheets.

(c) Those sheets not bearing the CORRECT petition serial number in the lower right-hand corner of each side.

(d) Those sheets containing a circulator's affidavit that is not completed or signed, AND, FOR A NONRESIDENT CIRCULATOR WHO IS REQUIRED TO BE REGISTERED WITH THE SECRETARY OF STATE AND WHO IS NOT SO REGISTERED AT THE TIME OF CIRCULATION, THOSE SHEETS CIRCULATED BY THAT CIRCULATOR.

(e) Those sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed.

(f) Those sheets on which the signatures of the circulator or the notary are dated earlier than THE APPLICATION DATE FOR THAT MEASURE OR the dates on which the electors signed the face of the petition sheet.

(g) ~~Beginning after November 2, 2010,~~ Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.

(h) THOSE SHEETS ON WHICH THE DESIGNATION OF PAID CIRCULATOR OR VOLUNTEER CIRCULATOR AS PRESCRIBED BY SECTION 19-101 IS NOT CHECKED OR IF BOTH ARE CHECKED.

2. After completing the steps in paragraph 1 of this subsection, review each sheet to determine the county of the majority of the signers and



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

3. After completing the steps in paragraph 2 of this subsection, remove the following signatures that are not eligible for verification by marking an "SS" in red ink in the margin to the right of the signature line:

- (a) If the signature of the qualified elector is missing.
- (b) If the residence address or the description of residence location is missing **OR IF BOTH THE CITY OR TOWN AND THE COUNTY OF RESIDENCE CANNOT BE DETERMINED.**
- (c) If the date on which the petitioner signed is missing.
- (d) Signatures in excess of the fifteen signatures permitted per

- Adds:
  - Allows for the acceptance if there is an omission, but voter's location can be determined.



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

- Removes party change elimination requirement for boardworkers:

5 shall be qualified voters of the precinct for which appointed, unless there  
6 is not a sufficient number of persons available to provide the number of  
7 appointments required. IF the inspector, marshal and judges ~~shall not have~~  
8 ~~changed their political party affiliation or their no party preference~~  
9 ~~affiliation since the last preceding general election, and if they are~~  
0 members of the two political parties that cast the highest number of votes in  
1 the state at the last preceding general election they shall be divided





# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

- Additional requirements on the “Paid for by”

4       16-912. Candidates and independent expenditures: campaign  
5               literature and advertisement sponsors;  
6               identification; civil penalty

7       A. A political committee that makes an expenditure for campaign  
8 literature or advertisements that expressly advocate the election or defeat  
9 of any candidate or that make any solicitation of contributions to any  
0 political committee shall be registered pursuant to this chapter at the time  
1 of distribution, placement or solicitation and shall include on the  
2 literature or advertisement the words "paid for by" followed by the name AND  
3 THE ACTUAL PHYSICAL ADDRESS, INCLUDING THE STREET NAME, of the committee that  
4 appears on its statement of organization or five hundred dollar exemption  
5 statement.



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

- Includes recall elections in financial disclosures & many other sections of statute referring to petitions:

hundred thousand persons.

B. In addition to the requirements of section 16-913, a committee acting in support of or opposition to the qualification, passage or defeat of an initiative or referendum or any other ballot measure, question or proposition **OR IN SUPPORT OF OR OPPOSITION TO A RECALL ELECTION** shall give notice to the secretary of state for statewide measures and the local filing officer who is responsible for receiving campaign finance reports for filing for nonstatewide measures the first time each of the following occurs:

1. The committee has received contributions totaling ten thousand dollars or more.

2. The committee has made expenditures totaling ten thousand dollars

read:

## 19-202.01. Application for recall petition

A. A person or organization intending to file a recall petition ~~shall~~, before causing the petition to be printed and circulated, **SHALL** submit an application setting forth ~~his~~ **THE FOLLOWING**:

1. **THE PERSON'S** name **AND ADDRESS** or, if an organization, its name **AND ADDRESS** and the names and titles of its officers. ~~address, his~~

2. **THE PERSON OR ORGANIZATION'S** intention to circulate and submit ~~such~~ **A RECALL** petition. ~~and~~

3. The text of the general statement required by section 19-203 and a request for issuance of an official number to be printed on the signature sheets of the petition.

B. ~~Such~~ **THE** application **AND PETITION** shall be submitted **AS A SINGLE DOCUMENT** to the office of secretary of state if for recall of a state

## 19-201.01. Legislative findings and intent: strict compliance

THE LEGISLATURE FINDS AND DETERMINES THAT STRICT COMPLIANCE WITH THE APPLICATION AND ENFORCEMENT OF THE CONSTITUTIONAL AND STATUTORY REQUIREMENTS FOR RECALL PROVIDE THE SUREST METHOD FOR SAFEGUARDING THE INTEGRITY AND ACCURACY OF THE RECALL PROCESS. THEREFORE, THE LEGISLATURE DECLARES THAT THE CONSTITUTIONAL AND STATUTORY REQUIREMENTS FOR THE RECALL BE STRICTLY CONSTRUED AND THAT PERSONS USING THE RECALL PROCESS STRICTLY COMPLY WITH THOSE CONSTITUTIONAL AND STATUTORY REQUIREMENTS.

Sec. 21. Section 19-202.01, Arizona Revised Statutes, is amended to

Sec. 22. Section 19-203, Arizona Revised Statutes, is amended to read:

## 19-203. Recall petition; contents; submission for verification; nonacceptance

A. A recall petition shall contain a general statement of not more than two hundred words stating the grounds of the demand for the recall. The petition shall be submitted for verification of signatures to **ONE OF THE FOLLOWING**:

1. The office of the secretary of state if for a state officer, including a member of the legislature or a member of Congress. ~~with~~

2. The county officer in charge of elections if for a county or district officer or superior court judge. ~~with~~

3. The city or town clerk if for a city or town officer. ~~and with~~

4. The county school superintendent if for a governing board member of a school district.

B. No recall petition is considered filed for purposes of this chapter until the verification process is complete and the petition is filed pursuant to section 19-208.03, subsection A, paragraph 1.

~~B.~~ C. A recall petition shall not be accepted for such verification if more than one hundred twenty days have passed since the date of submission of the application for recall petition, as prescribed by section 19-202.01.

D. **THE FILING OFFICER'S TIME-AND-DATE-MARKED COPY OF THE APPLICATION, INCLUDING THE GENERAL STATEMENT OF THE GROUNDS FOR RECALL, CONSTITUTES THE FULL AND CORRECT COPY OF THE RECALL TEXT AND IS THE ONLY VALID COPY FOR CIRCULATION FOR SIGNATURES. SIGNATURES THAT ARE COLLECTED WITH ANY COPY OF THE RECALL TEXT THAT IS NOT A FILING OFFICER'S TIME-AND-DATE-MARKED COPY WITH**



# Omnibus

**SB 1493**

Introduced by  
Senators Biggs, Driggs, McComish: Shooter (with permission of Committee on  
Rules)

## BILL STATUS OVERVIEW

**SB1493**

**SPONSORS:** BIGGS PZ DRIGGS P MCCOMISH P  
SHOOTER C

**TITLE:** elections; omnibus

**SENATE FIRST READ:** 05/14/13

**SENATE SECOND READ:** 05/15/13

**COMMITTEES:** ASSIGNED COMMITTEES ACTION

Vote Detail	05/14/13	APPROP	05/15/13 (6-3-0-0) DP
	05/14/13	RULES	

Although this combines many aspects of 1003 & 1261,  
it looks like those two are still in play.

## BREWER UNINTERESTED IN MEDICAID BALLOT MEASURE

Article Posted: 05.8.2013 | 4:08 pm 4:08 pm Wed, May 8, 2013



Although there is a growing belief in some circles that the only way to secure Tobin's support for moving the Medicaid expansion to the floor is to change it to a referral, Brewer's office maintains that doing so is a non-starter. "The governor is not interested in going to the ballot," Benson told our reporter this week, adding that the governor believes legislators and state officials were elected to make difficult decisions, not to abandon their duties by giving voters the final say. And while Benson said he hasn't heard of any legislative appetite for sending the matter to the ballot, there are persistent rumors that Tobin has been agitating for exactly that in exchange for removing legislative hurdles. One lawmaker supporting the expansion told our reporter that punting to the ballot would be "the worst thing that could happen." "If it goes to the ballot, we've just taken away any flexibility to change things in the future. It would definitely pass, but I'm worried about doing the job we need to at the Legislature," the lawmaker said. On top of that, the lawmaker noted that a special election comes with a price tag of \$8 million, which would be better spent on restoring the billions of dollars cut from state programs in recent years than on helping legislators avoid the expansion issue.

## House speaker proposes ballot measure on Medicaid expansion

By Hank Stephenson - [hank.stephenson@azcapitoltimes.com](mailto:hank.stephenson@azcapitoltimes.com)

Published: May 14, 2013 at 3:35 pm

3:35 pm Tue, May 14, 2013



House Speaker Andy Tobin (Photo by Josh Coddington/Arizona Capitol Times)

Unable or unwilling to take on Medicaid expansion at the Capitol, House speaker Andy Tobin wants to ask voters in the future to decide on the issue in a ballot measure in a special election this year.

Tobin's proposed constitutional amendment would ask voters whether to expand the AHCCCS system to cover people without private health insurance – or self-imposed tax on hospitals to pay the state's portion for expanded Medicaid coverage –

# BUT WAIT, THERE'S MORE!

The Budget and AHCCCS expansion  
dips its toe into the electoral waters...

## Bipartisan Senate passes budget, AHCCCS expansion

By Ben Giles



A debate that lasted nearly 12 hours ended late Thursday night, when the Arizona state Senate approved a budget proposal that includes a plan to expand Medicaid coverage as desired by Gov. Jan Brewer.

A bloc of five Republican senators joined forces with

Senate Democrats to wrest control of the chamber from Sen. President Andy Biggs and provided momentum to Brewer's proposal by giving preliminary approval to the bills during floor debate. **READ MORE**

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## Votes are there for Medicaid expansion, but not without Speaker Tobin

By Hank Stephenson - [hank.stephenson@azcapitoltimes.com](mailto:hank.stephenson@azcapitoltimes.com)

Published: May 28, 2013 at 9:39 am

9:39 am Tue, May 28, 2013



House Speaker Andy Tobin has steadfastly said there aren't enough votes to pass Medicaid expansion through the House, although he se

Most lawmakers, even ardent Medicaid expansion opponents, acknowledge there are enough votes to pass Medicaid expansion in the Ho

But Tobin said there is still a single vote missing that makes all the difference: his.

"I think people are saying they can conceptually see it's something they can support. But from a policy standpoint, I think people are expe

He said he is working to add as much accountability into the Medicaid expansion proposal as possible. Specifically, he wants a tighter circ governor's plan, which calls for dropping out if the federal match falls below 80 percent.

# STAY TUNED.





& *THAT'S* how the sausage gets made!

